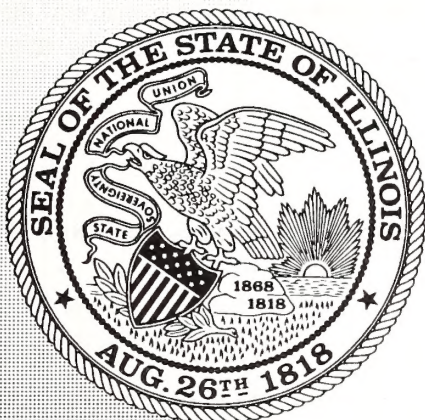


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1995

Illinois Register

Rules of Governmental Agencies

Volume 19, Issue 23— June 09, 1995

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REGISTER PUBLICATION SCHEDULE 1995

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Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

Printed by authority of the
State of Illinois
June 1995 - 890 - GA-1394

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT(S)

- 1) Heading of the Part: Cock Pheasant, Hungarian Partridge, Bobwhite Quail and Rabbit Hunting

- 2) Code Citation: 17 Ill. Adm. Code 530

- 3) Section Numbers:
- | | |
|---------|-------------------------|
| 530.10 | <u>Proposed Action:</u> |
| 530.20 | Amendments |
| 530.70 | Amendments |
| 530.80 | Amendments |
| 530.90 | Amendments |
| 530.100 | Amendments |
| 530.105 | Amendments |
| 530.110 | Amendments |
| 530.115 | Amendments |

- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29].

- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to change season dates, hunting hours and hunting regulations.

- 6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Does this rulemaking contain incorporations by reference? No

- 9) Are there any other proposed rulemakings pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rule may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Conservation
534 S. Second Street, Room 430
Springfield, IL 62701-1787
217/782-1809

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT(S)

- 12) Initial Regulatory Flexibility Analysis: This rule does not affect small businesses.

- 13) State reasons for this rulemaking if it was not included in either of the two most recent regulatory agendas: Included in Regulatory Agendas submitted for period 1/1/95-6/30/95.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 530

COCK PHEASANT, HUNGARIAN PARTRIDGE, BOBWHITE QUAIL,
AND RABBIT HUNTING

Section

- 530.10 Statewide General Regulations
- 530.20 Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations
- 530.30 Statewide Hungarian Partridge Regulations (Repealed)
- 530.40 Statewide Bobwhite Quail Regulations (Repealed)
- 530.50 Statewide Rabbit Regulations (Repealed)
- 530.60 Statewide Crow Regulations (Repealed)
- 530.70 Controlled Pheasant Hunting Sites Permit Requirements
- 530.80 Controlled Pheasant Hunting Regulations
- 530.90 Illinois Youth Pheasant Hunting Sites Permit Requirements
- 530.100 Illinois Youth Pheasant Hunting Regulations
- 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites
- 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites
- 530.115 Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites
- 530.120 Regulations for Hunting Crow at Various Department-Owned or -Managed Sites (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29 of the Wildlife Code (520 ILCS 5/1.3, 1.4, 1.13, 2.1, 2.2, 2.6, 2.7, 2.27, 2.30, 2.33, 3.5, 3.27, 3.28 and 3.29).

SOURCE: Adopted at 5 Ill. Reg. 8777, effective August 25, 1981; codified at 5 Ill. Reg. 10634; amended at 6 Ill. Reg. 10667, effective August 20, 1982; amended at 7 Ill. Reg. 10755, effective August 24, 1983; amended at 8 Ill. Reg. 21574, effective October 23, 1984; amended at 9 Ill. Reg. 15846, effective October 8, 1985; amended at 10 Ill. Reg. 15579, effective September 16, 1986; emergency amendments at 10 Ill. Reg. 18822, effective October 16, 1986, for a maximum of 150 days; emergency expired March 15, 1987; amended at 11 Ill. Reg. 10546, effective May 21, 1987; amended at 12 Ill. Reg. 12016, effective July 7, 1988; amended at 13 Ill. Reg. 12796, effective July 21, 1989; emergency amendments at 13 Ill. Reg. 12985, effective July 31, 1989, for a maximum of 150 days; emergency expired December 28, 1989; amended at 13 Ill. Reg. 17348, effective October 27, 1989; amended at 14 Ill. Reg. 10775, effective June 20, 1990; emergency amendments at 14 Ill. Reg. 18324, effective October 29, 1990,

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for a maximum of 150 days; emergency expired March 28, 1991; amended at 15 Ill. Reg. 9924, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 16124, effective October 25, 1991; emergency expired March 23, 1992; amended at 15 Ill. Reg. 18138, effective December 6, 1991; amended at 16 Ill. Reg. 12470, effective July 28, 1992; amended at 16 Ill. Reg. 18951, effective December 1, 1992; amended at 17 Ill. Reg. 15534, effective September 18, 1993; amended at 18 Ill. Reg. 12628, effective August 9, 1994; amended at 19 Ill. Reg. _____, effective _____.

Section 530.10 Statewide General Regulations

Game breeding and hunting preserve areas licensed pursuant to Section 3.27 of the Wildlife Code (~~1117-Rev. Stat. 1917-ch. 617-par. 3-27~~) [520 ILCS 5/3.27] and managed pursuant to Sections 3.28 and 3.29 of the Wildlife Code (~~1117-Rev. Stat. 1917-ch. 617-par. 3-28-and-3-29~~) [520 ILCS 5/3.28 and 3.29] are exempt from all provisions in this Part except for those pertaining to rabbit and crow in Section 530.20 and 530.60.

(Source: Amended at 19 Ill. Reg. _____, effective _____.)

Section 530.20 Statewide Cock Pheasant, Hungarian Partridge, Bobwhite Quail, and Cottontail and Swamp Rabbit Regulations

- a) Zones: South zone consists of all lands south of the line that follows U.S. Route 36 from the Indiana State line to Springfield, Route 29 from Springfield to Pekin and Route 9 from Pekin to Dallas City, then due west to the Mississippi River; north zone is the remainder of the State.

b) Season dates:

North (all species) - first Saturday in November through the ~~first Wednesday~~ in the next following January 8.
South (all species except rabbits) - first Saturday in November through the ~~second Sunday~~ in the next following January 15.
South (rabbits) - the first Saturday in November through the next following January 22.

- c) Hunting hours: Sunrise until sunset.

d) Daily limit:

Cock pheasant - 2
Bobwhite Quail - 8
Hungarian Partridge - 2
Rabbit - 4

- e) Possession limit (after the second day of the hunting season):

Cock Pheasant - 6
Bobwhite Quail - 20
Hungarian Partridge - 6
Rabbit - 10

- f) Cock pheasant may be hunted only; hen pheasants are illegal to take or

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possess, except as specified on controlled hunting areas operated pursuant to Sections 1.13 or 3.27 of the Wildlife Code (410 ILCS 1.13 or 3.27) or State 1997-CH-61-PARS-1113-OR-3-27 [520 ILCS 5.13 or 3.27] or at sites listed in Section 530.105 and as designated in 17 sites in Section 530.110, and by falconry methods as described in 17 Ill. Adm. Code 1990, Falconry and the Captive Propagation of Raptors.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.70 Controlled Pheasant Hunting Sites Permit Requirements

- Applicants must contact the Department of Conservation (Department or DOC) to obtain a permit reservation. (However for Wayne Fitzgerald, Silver Springs State Park, Ramsey Lake State Park, Horseshoe Lake State Park Site-M and Lee County Conservation Area (Green River), applicants must contact the concessionaire. Should the concessionaire, for any reason, fail to operate the concession, applicants must contact DOC.) Starting dates and methods for making reservations will be publicly announced. Only applications for reservations submitted by Illinois residents will be processed during the first two weeks of the application period. Reservations will be confirmed. Applicants making reservations will be sent confirmation.
- Permits will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 80 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.
- For all DOC operated sites except Site M and Sand Ridge the permit authorizes the permit holder to bring one hunting partner. (The hunting partner cannot hunt without the permit holder being present to hunt.) At Site M and Sand Ridge the permit is valid for the permit holder only. The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. Permits cannot be transferred on the hunting areas. For other information write to:

Illinois Department of Conservation

Pheasant

524 South Second St., Room 210

P.O. Box 13457

Springfield, Illinois 62794-3457

- Reservations for pheasant hunting will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hallet State Park (Carlyle Lake), Iroquois County Conservation Area and Moraine View State Park and Ridenland County Controlled Pheasant Hunting Area.

DEPARTMENT OF CONSERVATION

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- At Site M and Sand Ridge reservations for the controlled hunting area will be issued from the site headquarters.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.80 Controlled Pheasant Hunting Regulations

- The controlled hunting season is November 22 through December 17th, both dates inclusive, with the following exceptions:
 - All areas shall be closed to pheasant permit hunting on every Monday and Tuesday during the controlled hunting season and November 18 and December 17-1994.
 - All areas are open to the Illinois Youth Pheasant Hunting Program only on November 126 (except at Wayne Fitzgerald State Park where the Youth Pheasant Hunting Program will be November 23 and at Site M Controlled Unit, Sand Ridge, Silver Springs and Ramsey Lake where a Youth Pheasant Hunting Program will not be held).
 - The controlled hunting season on the Des Plaines Conservation Area and the Iroquois County Conservation Area is November 22 through November 16th, November 22 through November 27 and December 2 through December 23th, 1995 1994.
 - The controlled hunting season on the Wayne Fitzgerald State Park (Rend Lake), Lee County Conservation Area (Green River), Silver Springs State Park, Horseshoe Lake State Park Site-M and Ramsey Lake State Park will be publicly announced.
 - The controlled hunting season on Site M Controlled Unit is November 4 through November 16, November 22 through November 26 and December 6, 1995 through January 14, 1996.
 - The controlled hunting season on the Iroquois County Conservation Area is November 1 through November 12, November 15 and 16, and November 22 through December 17, 1995.
- Hunting hours are from 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Sand Ridge). Hunters with reservations are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (except at Site M Controlled Unit, Silver Springs, Horseshoe Lake, Ramsey Lake and Sand Ridge where hunters are required to check in between 8:00 a.m. and 8:30 a.m.). Reservations are void after 8:00 a.m. (except at Site M, Sand Ridge and Wayne Fitzgerald where reservations are void after 12:00 noon).
- When daily quotas are not filled, permits shall be issued on a first-come, first-served basis until 12:00 Noon.
- Hunting licenses, daily usage stamps and fees: Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their firearm owner's identification card if they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in

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period. Reservations will be confirmed. ~~Applicants--making reservations with no intent to confirm.~~ Up to six ~~five~~ reservations, but only one per applicant, may be made. Multiple reservations for the same person will not be accepted and that person will forfeit his right to acquire a reservation for the season. There is no fee for the youth pheasant hunting permit.

b) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available, the condition, topography, and configuration of the land at the site, the condition of the roads at the site, and the number of employees available to work at the site.

c) The Springfield Permit Office cannot transfer or alter reservations to change hunting areas, dates or hunters' names. Permits cannot be transferred on the hunting areas. For other information (except Sangchris Lake and Railsplitter State Park) write to:

Illinois Department of Conservation

Pheasant

524 South 2nd Street, Room 210

P.O. Box 19457

Springfield, Illinois 62794-9457

d) Reservations for the Illinois Youth Pheasant Hunt will be issued from the Springfield Permit Office for Chain O'Lakes State Park, Des Plaines Conservation Area, Eldon Hazlet State Park (Carlyle Lake), Iroquois County Conservation Area, Moraine View State Recreation Park, Wayne Fitzgerald (Rend Lake) State Park, Richland County Controlled Pheasant Hunting Area, Lee County Conservation Area, Mackinaw River State Fish and Wildlife Area and Horseshoe Lake State Park (Madison County).

e) Permits for the Youth Hunt at Sangchris Lake State Park and Railsplitter State Park ~~and Mackinaw River State Fish & Wildlife Area~~ will be issued by a mail-in drawing at the respective site office. Registration procedures and hunter quota will be announced by public news release. Applicants must be between the ages of 10-15 inclusive. Permits available after the drawing will be allocated on a first-come or first-call basis from the site office.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.100 Illinois Youth Pheasant Hunting Regulations

a) The Illinois Youth Pheasant Hunt will be November 12, 1995 ~~1994~~, except at Sangchris Lake State Park where the hunt will be December 10-11-1994 ~~and at Railsplitter State Park where the hunt will be November 11, 1995 26-1994~~ and at Mackinaw River State Fish & Wildlife Area where the hunt will be the first Saturday of the statewide upland

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game season.

b) Hunting hours are from 9:00 a.m. to 4:00 p.m. Hunters with reservations or permits are required to check in at the check station between 7:00 a.m. and 8:00 a.m. (between 8:00 a.m. and 8:30 a.m. at Sangchris Lake and Railsplitter State Park).

c) All hunters must be between the ages of 10 and 15 inclusive and have a youth hunting permit. Stand-by permits will not be available except at Sangchris Lake and Railsplitter State Park.

d) All hunters are required to deposit their hunting licenses in the check station while hunting. Each permit holder MUST be accompanied by a non-hunting supervisory adult. If the hunter does not have a valid Firearm Owner's Identification Card (FOID), the supervisory adult is required to have a valid FOID Card. Only one supervisory adult in a hunting party is required to have a valid FOID Card if the hunters in the hunting party stay under the immediate control (accompany youth hunter at all times) of the supervisory adult possessing the valid FOID Card.

e) Supervising ~~Hunters and supervising~~ adults are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches. Hunters must also wear a back patch issued by the check station.

f) Anyone who has killed game previously and has it in his possession or in his vehicle must declare it with the person in charge of the area prior to hunting on the area. All previously killed game found in a hunter's possession after he has started hunting on the area will be considered illegally taken if the hunter has not declared it prior to going into the field.

g) All hunting must be done with shotguns. Only shot shells with a shot size of No. 5 lead or bismuth or No. 3 steel or smaller may be used, except at the Wayne Fitzgerald State Recreation Area where only shot shells approved as non-toxic by the U.S. Fish and Wildlife Service with a shot size of No. 3 steel or No. 5 bismuth shot or smaller may be used.

h) Daily limit.

1) Two pheasants of either sex at Eldon Hazlet State Park, Chain O'Lakes State Park, Iroquois County Conservation Area, ~~Des Plaines Conservation Area, Richland County Conservation Area, Moraine View State Park, Wayne Fitzgerald State Park, Moraine View State Park and Horseshoe Lake State Park (Madison County).~~

2) Two cock pheasants only at the Lee County Conservation Area.

3) ~~Statewide Limits:~~ Mackinaw River State Fish & Wildlife Area, Sangchris Lake State Park and Railsplitter State Park.

i) All pheasants must be affixed with a Department tag before they are removed from the area (except Sangchris Lake and Railsplitter State Park and Mackinaw River State Fish & Wildlife Area). The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.

DEPARTMENT OF CONSERVATION

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(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.105 Regulations for Fee Hunting of Pheasant, Hungarian Partridge, Quail and Rabbit at Controlled Daily Drawing Pheasant Hunting Sites

a) All the regulations in 17 Ill. Adm. Code 510 - General Hunting and Trapping apply in this Section, unless this Section is more restrictive.

b) ~~All hunters must wear a cap and upper outer garment of solid and vivid blue or orange of at least 400 square inches.~~

b) ~~All areas are closed to fee upland game hunting Mondays and Tuesdays, Christmas Day and New Year's Day and November 19 and December 1.~~

c) ~~All hunting hours are 9:00 a.m. to 4:00 p.m. (except on Thanksgiving Day hunting hours are 9:00 a.m. to 1:00 p.m. at Kankakee River State Park and Sand Ridge State Forest).~~

d) ~~All hunting must be done with shotgun or bow and arrow. Only shot shells with a shot size of No. 5 lead or No. 3 steel or smaller may be used. Flu flu arrows only may be used by bow and arrow hunters.~~

e) ~~All pheasants must be affixed with a Department tag before they are removed from the area. The tag must remain on the leg of the pheasants until the pheasants are finally prepared for consumption.~~

g) ~~A drawing shall be held at the site for hunter quotas at \$5.00 daily usage stamp is required opening date through the day following the final game bird release.~~

f) Hunter quota selection, daily usage stamp requirements and exemptions and hunter age requirements:

1) A drawing shall be held at the site for hunter quotas.

2) A daily usage stamp is required prior to hunting opening date through the day following the final game bird release.

3) Hunters under 16 are not required to obtain a daily usage stamp at the Richland County Controlled Pheasant Hunting Area on November 26; at Johnson Sauk Trail State Park, Kankakee River State Park, Sand Ridge State Forest and the Washington County Conservation Area on November 26 and December 30; and at Horseshoe Lake State Park (Madison County) on December 30.

4) Hunters under 16 years of age must be accompanied by an adult hunter.

g) ~~When daily quotas are not filled, hunters are allowed to check in on a first-come first-served basis until 12:00 noon. 4:00 p.m.~~

h) ~~The Department shall publicly announce by public news release the registration time and quota to be filled.~~

i) ~~Hunters are required to deposit their hunting license in the check station while hunting. Persons exempt by law from having a hunting license must deposit their Firearm Owner's Identification Card. If they are under 21 years old and do not have a card they must be accompanied by a parent, legal guardian or a person in loco parentis who has a valid card in possession.~~

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k) ~~A back patch issued at the check station must be worn while hunting. Non-hunters are not allowed in the field.~~

l) ~~Hunters must not leave the site without first checking out.~~

m) ~~Daily Limit:~~

Pheasant - 2 (either sex may be harvested)

Bowwhite Quail - 8

Hungarian Partridge - 2

Rabbit - 4

n) ~~Statewide regulations as provided for in this Part apply at the following Controlled Daily Drawing Pheasant Hunting sites, except as noted above and in parentheses below:~~

~~Horseshoe-Sauk State Park (Madison County) (hunting season opens the first hunting day after the close of the duck hunting season; daily limit 2 pheasants of either sex except that on the last day of the hunting season each hunter will be allowed to harvest 4 quail and 2 rabbits in addition to 2 pheasants)~~

~~Johnson-Sauk Trail State Park~~

~~Joliet Army Ammunition Plant - Will County (a \$5.00 daily usage fee will be charged; no hen pheasants may be harvested; site is closed during site's firearm deer season; pheasants will not be tagged)~~

~~Kankakee River State Park (Hunters must check out within 15 minutes of the close of hunting hours; quail shall not be harvested)~~

~~Richland County Controlled Pheasant Hunting Area (hunting season is November 8 through December 17; daily limit 2 pheasants of either sex only)~~

~~Sand Ridge State Forest~~

~~Washington County Conservation Area~~

o) ~~Any person who violates any provision of this Part or 17 Ill. Adm. Code 510.10(c)(1), (4) and (5) or 510.10(f) or Section 2.33(n), (x) or (z) of the Wildlife Code (520 ILCS 5/2.33(n), (x) or (z)) shall be subject to arrest and/or removal from the premises for the remainder of the controlled pheasant hunting season under applicable statutes including 720 ILCS 5/21-5, Criminal Trespass to State Supported Land. It shall be unlawful to hunt on a site listed in subsection (a) above for the remainder of the controlled hunting season after being issued a citation for violation of Section 2.33(g)-(j)-(k)-(l)-(m)-(n)-(p)-(q)-(r)-(s)-(t)-(u)-(v)-(w)-(x)-(y)-(z)-(aa)-(ab)-(ac)-(ad)-(ae)-(af)-(ag)-(ah)-(ai)-(aj)-(ak)-(al)-(am)-(an)-(ao)-(ap)-(aq)-(ar)-(as)-(at)-(au)-(av)-(aw)-(ax)-(ay)-(az)-(ba)-(bb)-(bc)-(bd)-(be)-(bf)-(bg)-(bh)-(bi)-(bj)-(bk)-(bl)-(bm)-(bn)-(bo)-(bp)-(bq)-(br)-(bs)-(bt)-(bu)-(bv)-(bw)-(bx)-(by)-(bz)-(ca)-(cb)-(cc)-(cd)-(ce)-(cf)-(cg)-(ch)-(ci)-(cj)-(ck)-(cl)-(cm)-(cn)-(co)-(cp)-(cq)-(cr)-(cs)-(ct)-(cu)-(cv)-(cw)-(cx)-(cy)-(cz)-(da)-(db)-(dc)-(dd)-(de)-(df)-(dg)-(dh)-(di)-(dj)-(dk)-(dl)-(dm)-(dn)-(do)-(dp)-(dq)-(dr)-(ds)-(dt)-(du)-(dv)-(dw)-(dx)-(dy)-(dz)-(ea)-(eb)-(ec)-(ed)-(ee)-(ef)-(eg)-(eh)-(ei)-(ej)-(ek)-(el)-(em)-(en)-(eo)-(ep)-(eq)-(er)-(es)-(et)-(eu)-(ev)-(ew)-(ex)-(ey)-(ez)-(fa)-(fb)-(fc)-(fd)-(fe)-(ff)-(fg)-(fh)-(fi)-(fj)-(fk)-(fl)-(fm)-(fn)-(fo)-(fp)-(fq)-(fr)-(fs)-(ft)-(fu)-(fv)-(fw)-(fx)-(fy)-(fz)-(ga)-(gb)-(gc)-(gd)-(ge)-(gf)-(gg)-(gh)-(gi)-(gj)-(gk)-(gl)-(gm)-(gn)-(go)-(gp)-(gq)-(gr)-(gs)-(gt)-(gu)-(gv)-(gw)-(gx)-(gy)-(gz)-(ha)-(hb)-(hc)-(hd)-(he)-(hf)-(hg)-(hh)-(hi)-(hj)-(hk)-(hl)-(hm)-(hn)-(ho)-(hp)-(hq)-(hr)-(hs)-(ht)-(hu)-(hv)-(hw)-(hx)-(hy)-(hz)-(ia)-(ib)-(ic)-(id)-(ie)-(if)-(ig)-(ih)-(ii)-(ij)-(ik)-(il)-(im)-(in)-(io)-(ip)-(iq)-(ir)-(is)-(it)-(iu)-(iv)-(iw)-(ix)-(iy)-(iz)-(ja)-(jb)-(jc)-(jd)-(je)-(jf)-(jg)-(jh)-(ji)-(jj)-(jk)-(jl)-(jm)-(jn)-(jo)-(jp)-(jq)-(jr)-(js)-(jt)-(ju)-(jv)-(jw)-(jx)-(jy)-(jz)-(ka)-(kb)-(kc)-(kd)-(ke)-(kf)-(kg)-(kh)-(ki)-(kj)-(kl)-(km)-(kn)-(ko)-(kp)-(kq)-(kr)-(ks)-(kt)-(ku)-(kv)-(kw)-(kx)-(ky)-(kz)-(la)-(lb)-(lc)-(ld)-(le)-(lf)-(lg)-(lh)-(li)-(lj)-(lk)-(ll)-(lm)-(ln)-(lo)-(lp)-(lq)-(lr)-(ls)-(lt)-(lu)-(lv)-(lw)-(lx)-(ly)-(lz)-(ma)-(mb)-(mc)-(md)-(me)-(mf)-(mg)-(mh)-(mi)-(mj)-(mk)-(ml)-(mm)-(mn)-(mo)-(mp)-(mq)-(mr)-(ms)-(mt)-(mu)-(mv)-(mw)-(mx)-(my)-(mz)-(na)-(nb)-(nc)-(nd)-(ne)-(nf)-(ng)-(nh)-(ni)-(nj)-(nk)-(nl)-(nm)-(no)-(np)-(nq)-(nr)-(ns)-(nt)-(nu)-(nv)-(nw)-(nx)-(ny)-(nz)-(oa)-(ob)-(oc)-(od)-(oe)-(of)-(og)-(oh)-(oi)-(oj)-(ok)-(ol)-(om)-(on)-(oo)-(op)-(oq)-(or)-(os)-(ot)-(ou)-(ov)-(ow)-(ox)-(oy)-(oz)-(pa)-(pb)-(pc)-(pd)-(pe)-(pf)-(pg)-(ph)-(pi)-(pj)-(pk)-(pl)-(pm)-(pn)-(po)-(pp)-(pq)-(pr)-(ps)-(pt)-(pu)-(pv)-(pw)-(px)-(py)-(pz)-(qa)-(qb)-(qc)-(qd)-(qe)-(qf)-(qg)-(qh)-(qi)-(qj)-(qk)-(ql)-(qm)-(qn)-(qo)-(qp)-(qq)-(qr)-(qs)-(qt)-(qu)-(qv)-(qw)-(qx)-(qy)-(qz)-(ra)-(rb)-(rc)-(rd)-(re)-(rf)-(rg)-(rh)-(ri)-(rj)-(rk)-(rl)-(rm)-(rn)-(ro)-(rp)-(rq)-(rr)-(rs)-(rt)-(ru)-(rv)-(rw)-(rx)-(ry)-(rz)-(sa)-(sb)-(sc)-(sd)-(se)-(sf)-(sg)-(sh)-(si)-(sj)-(sk)-(sl)-(sm)-(sn)-(so)-(sp)-(sq)-(sr)-(ss)-(st)-(su)-(sv)-(sw)-(sx)-(sy)-(sz)-(ta)-(tb)-(tc)-(td)-(te)-(tf)-(tg)-(th)-(ti)-(tj)-(tk)-(tl)-(tm)-(tn)-(to)-(tp)-(tq)-(tr)-(ts)-(tt)-(tu)-(tv)-(tw)-(tx)-(ty)-(tz)-(ua)-(ub)-(uc)-(ud)-(ue)-(uf)-(ug)-(uh)-(ui)-(uj)-(uk)-(ul)-(um)-(un)-(uo)-(up)-(uq)-(ur)-(us)-(ut)-(uu)-(uv)-(uw)-(ux)-(uy)-(uz)-(va)-(vb)-(vc)-(vd)-(ve)-(vf)-(vg)-(vh)-(vi)-(vj)-(vk)-(vl)-(vm)-(vn)-(vo)-(vp)-(vq)-(vr)-(vs)-(vt)-(vu)-(vv)-(vw)-(vx)-(vy)-(vz)-(wa)-(wb)-(wc)-(wd)-(we)-(wf)-(wg)-(wh)-(wi)-(wj)-(wk)-(wl)-(wm)-(wn)-(wo)-(wp)-(wq)-(wr)-(ws)-(wt)-(wu)-(wv)-(ww)-(wx)-(wy)-(wz)-(xa)-(xb)-(xc)-(xd)-(xe)-(xf)-(xg)-(xh)-(xi)-(xj)-(xk)-(xl)-(xm)-(xn)-(xo)-(xp)-(xq)-(xr)-(xs)-(xt)-(xu)-(xv)-(xw)-(xx)-(xy)-(xz)-(ya)-(yb)-(yc)-(yd)-(ye)-(yf)-(yg)-(yh)-(yi)-(yj)-(yk)-(yl)-(ym)-(yn)-(yo)-(yp)-(yq)-(yr)-(ys)-(yt)-(yu)-(yv)-(yw)-(yx)-(yy)-(yz)-(za)-(zb)-(zc)-(zd)-(ze)-(zf)-(zg)-(zh)-(zi)-(zj)-(zk)-(zl)-(zm)-(zn)-(zo)-(zp)-(zq)-(zr)-(zs)-(zt)-(zu)-(zv)-(zw)-(zx)-(zy)-(zz).~~

~~to: Legal Division, Department of Conservation, 524 South Second~~

DEPARTMENT OF CONSERVATION

NOTICE OF PROPOSED AMENDMENT(S)

Street, Springfield IL 62701-1787. Such hearing shall be governed by the provisions of 17 Ill. Adm. Code 2530.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.110 Regulations for Non-Fee Hunting of Cock Pheasant, Hungarian Partridge, Quail, and Rabbit at Various Department-Owned or -Managed Sites

a) General Site Regulations

- 1) All regulations in 17 Ill. Adm. Code 510 -- General Hunting and Trapping -- apply in this Section, unless this Section is more restrictive.
- 2) Only flu flu arrows may be used by bow and arrow hunters; broadheads are not allowed.
- 3) On sites which are indicated by (1), hunters must check in and/or sign out as provided for in 17 Ill. Adm. Code 510.
- 4) On sites which are indicated by (2), only nontoxic shot approved by the U.S. Fish and Wildlife Service of size No. 3 steel or No. 5 bismuth shot or smaller may be used or possessed.
- 5) Site specific rules or exceptions are noted in parentheses after each site.

b) Site Specific Regulations

- 1) Statewide regulations apply at the following sites:

Anderson Lake Conservation Area (1)

Argyle Lake State Park (closed during firearm deer season) (1)

Banner Marsh State Fish and Wildlife Area (opens the day after the close of the central zone duck season) (1)

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (closed during firearm deer season) (1)

Cache River State Natural Area (1)

a) All the regulations in 17 Ill. Adm. Code 510 -- General Hunting -- and trapping -- apply -- in this Section, -- unless this Section is more restrictive.

b) Flu flu arrows only may be used by bow and arrow hunters.

c) Hunters engaged in quail, rabbit, pheasant, or Hungarian partridge hunting must wear a cap and upper outer garment of solid and vivid blue or orange of at least 400 square inches at all Department-owned or -managed sites.

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- d) The Department will announce by public news release the registration time and quota to be filled at sites where the hunter quota will be filled by drawing at the sites.
- e) No report of hunting, traps, or harvest is required. -- Statewide regulations as provided for in this rule apply at the following sites; exceptions are in parentheses:

Campbell Pond Wildlife Management Area

Carlyle Lake Lands and Waters (Corps of Engineers Managed Lands)

Carlyle Lake Wildlife Management Area (subimpoundment area closed 7 days prior to and during the southern zone waterfowl season)

Crawford County Conservation Area (1)

Dog Island Wildlife Management Area

Eldon Hazlet State Park (north of Allen Branch and west of Peppenhorst Branch only) (1)

Ferne Clyffe State Park (1)

Fort de Chartres Historic Site (hunting with muzzleloading shotgun or bow and arrow only) (1)

Ft. Massac State Park (1)

Giant City State Park (1)

Green River State Wildlife Area (closed during controlled pheasant season, except Mondays and Tuesdays) (1)

Hamilton County Conservation Area (8:00 a.m. - 4:00 p.m.) (1)

Horseshoe Lake Conservation Area (Alexander County) (Public Hunting Area, except Controlled Hunting Area) (1)

Horseshoe Lake State Park -- Public Hunting Area -- Alexander County -- waterfowl permit area closed

1-24 Wildlife Management Area (1)

Jubilee College State Park (opens second day of statewide season; pheasant and quail close the Sunday after

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Thanksgiving) (1)

Kaskaskia River State Fish and Wildlife Area (Doza Creek Waterfowl Management Area closed 7 days prior to and during duck season) (1)

Kidd Lake State Natural AreaKincaid Lake Fish and Wildlife Area (1)

Mackinaw Fish and Wildlife Area (opens second day of statewide season; closed during firearm deer season; pheasant and quail closed the Sunday after Thanksgiving) (1)

Marseilles Wildlife (closed during the site's firearm deer season) (1)

Marshall Fish and Wildlife Area (closed during firearm deer season) (1)

Mazonia State Fish and Wildlife Area (upland season does not open until the day after the close of the site's waterfowl season; the site is closed Mondays, Tuesdays, Christmas Day and New Year's Day) (1)

Mernmet Lake Fish and Wildlife Area (1)

Mississippi River Pools 16, 17, 187-217-227-247-25-and-26

Mississippi River Fish and Waterfowl Management Area (Pools 25 and 26)

Mississippi River Pools 21, 22, 24

Oakford Conservation AreaPanther Creek Conservation Area (1)

Peabody River King State Fish and Wildlife Area (West Subunit only) (1)

Pike County Conservation Area (all hunting closes November 30 in Area A; all hunting closes December 15 in Area C) (1)

Pyramid State Park (1)

Ramsey Lake State Park (8:00 a.m. to 4:00 p.m.; rabbits and quail only may be hunted on Mondays and Tuesdays during the

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fee pheasant season) (1)

Randolph County Conservation Area (1)

Red Hills State Park (9:00 a.m. - 4:00 p.m.) (1)

Rend Lake Projects Lands and WatersSaline County Conservation Area (2)

Sam Dale Lake Conservation Area (8:00 a.m. to 4:00 p.m.) (1)

Sam Parr State Park (8:00 a.m. to 4:00 p.m.) (1)

Sangamon County Conservation AreaSangamon State Fish and Wildlife Area

Shawnee National Forest, Oakwood Bottoms ~~reservoir~~ ~~Reservoir west of the Big Muddy River non-toxic shot only~~ (2)

Snake Den Hollow Fish and Wildlife Area (opens the day after the close of the Fulton-Knox County zone goose season) (1)

Stephen A. Forbes State Park (8:00 a.m. to 4:00 p.m.) (1)

~~Snapshot-Mine-Fulton-and-Schuyler-Counties~~

Tapley Woods State Natural Area (closed during firearm and muzzleloading rifle deer seasons) (1)

Tall of Tears State Forest (1)Turkey Bluffs State Fish and Wildlife Area (1)

Union County Conservation Area (Firing Line Management Area only) (1)

Weinberg-King State Park (1)Wildcat Hollow State Forest

Witkowsky State Wildlife Area (rabbit only; closed during firearm deer season) (1)

(*) Free-permit-required-Hunters-report-traps-and-harvest-by-free permit-Permits may be obtained at state offices or by random drawing where quotas are in effect-Patrons-to-return-permit-and-report

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harvest--by--February--is--with--result--in--loss--of--hunting--privileges--at--that--site--for--the--following--year--Statewide--regulations--as--provided--for--in--this--rule--apply--at--the--following--sites--(all--exceptions--are--in--parentheses):

2) Statewide regulations apply at the following sites except that hunters must obtain a free site permit from site officer: this permit must be in possession while hunting at the site. The permit must be returned, and harvest reported, by February 15 of the hunter will forfeit hunting privileges at the site for the following year:

Chauncey Marsh (obtain permit at Red Hills State Park headquarters; no hunting in dedicated Nature Preserve)

Clinton Lake State Recreation Area (4:00 p.m. daily closing 8:00 a.m. to 4 p.m.)

Eagle Creek State Park

Fox Ridge State Park (4:00 p.m. daily closing)

Herscheid-Wetman-Habitat-Area (open-only November 5-6-7-11-19-23-and-29-and-December-3-7-11-15-18-21-and-24-only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring three hunting partners)

Hidden Springs State Forest (no hunting during firearm deer season; 4:00 p.m. daily closing)

Kacker-Bend-Pratt-Habitat-Area (open-only November 5-6-7-11-15-19-23-26-and-29-and-December-3-7-11-15-18-21-and-24-only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring five hunting partners)

Kickapoo State Park (4:00 p.m. daily closing; closed during firearm deer season)

Lake Shelbyville (Eagle Creek and Kaskaskia West Okaw Wildlife Management Areas)

Lake Shelbyville Eagle Creek State Park (4:00 p.m. daily closing)

Lake Shelbyville - Eagle Creek Wildlife Management Area (4:00 p.m. daily closing)

Lake Shelbyville - Kaskaskia and West Okaw Wildlife Management Area (4:00 p.m. daily closing)

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McLean-County-Habitat-Area (open-only November 5-7-11-15-19-23-26-and-29-and-December-3-7-11-15-18-21-and-24-only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring three hunting partners)

Middle Fork Fish and Wildlife Area (4:00 p.m. daily closing; closed during firearm deer season)

Moraine View State Park (rabbits only; Mondays and Tuesdays during permit pheasant season and Wednesday after permit pheasant season to end of northern zone rabbit season; 8:00 a.m. to 4:00 p.m. daily)

Site M (open unit Quality Area; open-only November 5-7-11-14-21-24-27-and-29-and-December-6-7-11-15-18-21-24-and-28-only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring three hunting partners)

Ten Mile Creek State Fish and Wildlife Area (forest designated as refuge are closed to all access during Canada goose season; permits must be returned to District Wildlife Manager; 8:00 a.m. to 4:00 p.m. daily)

9) Hunters must report traps and harvest at check station; Statewide regulations as provided for in this rule apply at the following sites (all exceptions are in parentheses):

3) Hunting is permitted on the following areas only on the dates listed in parentheses; daily hunting permits filled by drawing through DOC Permit Office. Procedures for application and drawings will be publicly announced. Only one permit per person will be issued for each site. Each permit authorizes the holder to bring the number of additional hunting partners listed in parentheses for the day's hunt. The permit must be returned and harvest reported by February 15 or hunters will forfeit hunting privileges at the site for the following year:

Anderson Lake Conservation Area

Argyle Lake State Park (closed during firearm deer season)

Banner Marsh State Park and Wildlife Area (open the day after the close of the central zone duck season)

Big Bend State Fish and Wildlife Area

Big River State Forest (closed during firearm deer season)

Cahoe River State Natural Area

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Early Lake Wildlife Management Area (Subinboundment area closed 3 days prior to and during the southern zone waterfowl season)

Chain O Lakes State Park--topen--Wednesday--after-fee pheasant season--for-5 consecutive days--closed--December--25--8--4--p.m.--to--4 p.m.--only shot size No--5--lead--or--No--3--steel--or--smatter--may--be used--pheasants--of--either--sex--may--be--taken--hens--must--be--tagged with--a--BOE--tag--before--leaving--the--area

Crawford County Conservation Area

Bes--Plaines--Conservation--Area--topen--November--16--17--and--19--and--December--1--and--Wednesday--after-fee--pheasant--season--for--5--days--closed--on--Monday--Tuesday--December--25--and--January--1--9--a.m.--to--4 p.m.--only shot size No--5--lead--and--No--3--steel--or--smatter--may--be used--pheasants--of--either--sex--may--be--taken--hens--must--be--tagged--with--a--BOE--tag--before--leaving--area

Bidon--Haret--State--Park--(controlled pheasant hunting Area--Only) topen--for--5--consecutive--days--following--the--test--pheasant--release

Bidon--Haret--State--Park--(north--of--Allen--Branch--and--west--of Peppinora--Branch)--north--of--Allen--Branch--only--has--a--check station

Perne-Glyfe State Park

Port--de--Chartres--Historic--Site--(hunting--with--muzzleloading shotgun--or--bow--and--arrow--only)

Port-Massac State Park

Grant City State Park

Hamilton County Conservation Area (opens 8 a.m.)

Herschel Workman Habitat Area (open only November 1, 5, 8, 11, 16, 17, 22, 25 and 30 and December 3, 6, 9, 12, 15, 18, 21 and 24; only one permit per person per year will be issued; permits must be in possession while hunting; each permit authorizes the holder to bring 3 hunting partners)

I-24 Wildlife Management Area

Iroquois County Conservation Area (open November 16--17--and--30 and--December--1--and--starting--two--days--after--the--fee--pheasant season--closes--for--3--consecutive--days--8--a.m.--to--4--p.m.; pheasants of--either--sex--may--be--taken--hens--must--be--tagged--with--a--BOE--tag

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before-leaving-area

Johnson-Sauk--State--Park--topen--from--Wednesday--after-fee pheasant season--closed--Monday--Tuesday--and--December--25--8--a.m.--to--3--p.m.--leaving--to--4--p.m.--quota--city--one--size--No--5--lead--or--No--3--steel--or--smatter--may--be--used

Jubilee-College State Park--4 p.m.--closing

Kaecker Sand Prairie Habitat Area (open only on November 4, 5, 8, 11, 16, 19, 22, 25, 30 and December 3, 6, 9, 12, 15, 18, 21, 24; each permit authorizes the holder to bring 5 hunting partners)

Kankakee-River--State--Park--topen--November--18--and--December--1--and--from--Wednesday--after-fee--pheasant--season--for--5--days--closed--Monday--Tuesday--December--25--and--January--1--9--a.m.--to--3--p.m.--leaving--to--4--p.m.--quota--city--one--size--No--5--lead--or--No--3--steel--or--smatter--may--be--used--quail--may--not--be--taken

Kankakee-River--State--and--Wildlife--Area--(BOE--check--station) Management--Area--closed--3--days--prior--to--and--during--duck--season

Kickapoo State Park--8 a.m.--to--4 p.m.--closed--during--stream--deer season

Kidd Lake State Natural Area

Kinkaid Lake-Pine and Wildlife Area

Lee--County--Conservation--Area--topen--for--quail--and--rabbit--hunting on--Monday--and--Tuesday--during--the--fee--pheasant--season--open--for--cock--pheasant--hunting--for--two--days--following--the--close--of--fee pheasant season

Mackinaw-River--State--Park--and--Wildlife--Area--(opens--the--day--after Youth--Hunt--for--9--consecutive--days--rabbits--only--from--the--third Saturday--in--December--for--3--consecutive--days--8--a.m.--to--4--p.m.)

Marquette-Pine and Wildlife Area--(closed--during--stream--deer season)

Marshall--County--Conservation--Area--(closed--during--stream--deer season)

Mazons State-Pine and Wildlife Area (opens--the--day--after--the close--of--the--central--rental--duck--season--open--Wednesday--through Sunday--8--a.m.--to--3--p.m.--only--shot--size--No--5--lead--or--No--3--steel--or--smatter--may--be--used)

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Mernnet-Lake-Conservation-Area
Middle-Park-State-Fish-and-Wildlife-Area-(8:00-a.m.-to-4:00-p.m.-7
closed-during-firearm-deer-season)
Moraine-River-State-Park-(open-for-rabbit-hunting-on-Monday-and
Tuesday-during-the-deer-pheasant-season--rabbits-quail-and
pheasants-of-ethne-sex-may-be-hunted-from-the-close-of-see
pheasant-season-for-3-consecutive-days-8-a.m.-to-4-p.m.-hens
must-be-tagged-with-a-BQB-tag-before-leaving-stand
Panther-Creek-Conservation-Area
Pike-County-Conservation-Area-(Area-A-closed-after-November-30-
Area-G-closed-after-December-15)
Pyramid-State-Park
Railsplitter State Park (November 13, 20, 27; December 4, 11, 18;
January 8; each permit authorizes the holder to bring 3 hunting
partners open-only-November-27-December-19-and-117-drawing-to
fill-hunter-quota)
Ramsey-Lake-State-Park-rabbits-may-be-hunted--on-Mondays--and
Tuesdays-during-the-deer-pheasant-season)
Randolph-County-Conservation-Area
Red-Hills-State-Park-(opens-9-a.m.-7
Saline-County-Conservation-Area-(8-a.m.-to-4-p.m.-7
Sam-Bate-Lake-Conservation-Area-(9-a.m.-to-4-p.m.-7
Sam-Patt-State-Park-(8-a.m.-to-4-p.m.-7
Sangamon-Conservation-Area
Sangchris Lake State Park (November 15, 18, 22, 25, 29; December
2, 6, 9, 13, 16, 20, 23, 27; each permit authorizes holder to
bring 3 hunting partners; hunting hours 12 noon-sunset open-for
quail-pheasant-and-rabbit-December-11-and-17-4:30-a.m.-to-4:00
p.m.-rabbit-only-December-19-19-30-21-22-23-24-27-30-27
207-29-30-and-31-12-noon-to-4:00-p.m.-drawing-to-fill-hunter
quota)
Saybrook Habitat Area (McLean County) (open only November 4, 5,
8, 11, 16, 19, 22, 25, 30 and December 3, 6, 9, 12, 15, 18, 21,

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24; only one permit per person per year will be issued; permits
must be in possession while hunting; each permit authorizes the
holder to bring 3 hunting partners)
Site M (Quail Management Area; November 7, 11, 14, 16, 21, 25,
28; December 5, 9, 12, 16, 19, 23, 26, 30; January 2, 6, 9, 13;
each permit authorizes holder to bring 3 hunting partners non-fee
area)
Snake--Ben-Hollow-Pish-and-Wildlife-Area-(opens-the-day-after-the
close-of-the-Pulmon-Knox-County-zone-goose-season)
Stephen-Ar-Potbes-State-Park-(8-a.m.-to-4-p.m.-7
Steward Habitat Area (open only on November 4, 5, 11, 16, 22, 25,
30 and December 3, 6, 9, 15, 18, 21, 24; each permit authorizes
the holder to bring 3 hunting partners)
Tapiay-Woods--State-Natural--Area--(closed-during-firearm-and
musteering-rifle-deer-season)
Trail-of-Deers-State-Park
Turkey-Bluffs-Fish-and-Wildlife-Area
Washington-County-Conservation-Area--(open-November-18--and
December-11--and--from--Wednesday--after--the-fee-pheasant-season
through-statewide-closing-closed-Mondays--Tuesday-December--25
and-January-11-drawing-to-fill-hunter-quota-only-shot-size-No-5
lead-21-No-3-steel-or-smaller-may-be-used)
Wetnberg-King-State-Park
Witkovsky-State-Wildlife-Area-rabbit-only-closed-during-firearm
deer-season)
4) The following sites will be open for pheasant, quail, rabbit and
partridge hunting following the site's controlled pheasant hunting
season; pheasants of either sex may be taken; all pen pheasants must
be tagged by DOC before leaving sites; hunting hours are 8:00 a.m. -
4:00 p.m.; hunting dates are noted in parentheses:
Chain O'Lakes State Park (open Wednesday after controlled
pheasant hunting season for 5 consecutive days, closed December
25) (1)
Des Plaines Conservation Area (dates are 5 days following the
close of the site's permit pheasant season excluding Mondays,
Tuesdays and Christmas; hunters must check in and check out)

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Eldon Hazlet State Park (controlled pheasant hunting area and for 5 consecutive days only) (1)

Iroquois County Wildlife Management Area (open Wednesday through Sunday following permit pheasant season) (1)

Johnson-Sauk Trail State Park (open Wednesday through Sunday following permit pheasant season)

Kankakee River State Park (no quail hunting)

Washington County Conservation Area (1)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 530.115 Regulations for Hunting by Falconry Methods at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 apply in this Section, except that falconers are required to wear a cap and outer garment of solid and vivid blaze orange only during the upland game season in sites where upland game hunting is in progress.

b) Statewide falconry regulations (17 Ill. Adm. Code 1590) apply at the following sites (exceptions are in parentheses):

Big Bend State Fish and Wildlife Area

Horseshoe Lake State Park (Madison County) (hunting season opens the first hunting day after the close of the duck hunting season; hunting by falconry methods allowed from day after controlled pheasant season through the close of statewide quail falconry season)

Mississippi River Pools 16, 17 and 18

Railsplitter State Park (hunting by falconry methods permitted from October 1 through March 31 or until 10 hen pheasants are harvested; falconers must sign in at the site check station before hunting and sign out immediately after hunting and report their harvest)

Sand Ridge State Forest (statewide regulations except that hunting is permitted on Mondays and Tuesdays only during the Controlled Daily Drawing Pheasant program season; it is unlawful to hunt by falconry methods in the vicinity of pheasant releases as pheasants are being released; falconry hunters must obtain a free permit from site office before hunting and report harvest by April 15; failure to report harvest by April 15 will result in

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loss of hunting privileges the following year)

Silver Springs State Park (hunting for pheasant, rabbit and quail permitted October 1 through two days before the opening of the site's pheasant season; falconers must obtain a free permit from site office before hunting and report harvest by December 1; failure to report harvest will result in loss of hunting privileges the following year)

Snake Den Hollow Fish and Wildlife Area (hunting permitted from the day after the close of the Fulton-Knox County Zone goose season until the close of the statewide falconry season)

Sanspot-Mine-Palton-and-Schuyler-Counties†

c) Cock and hen pheasant, Hungarian partridge, bobwhite quail, and rabbit may be taken at the following sites in accordance with 17 Ill. Adm. Code 1590; falconers must obtain a free permit from site office before hunting and return permit and report harvest by February 15; failure to return or report harvest will result in loss of hunting privileges the following year (additional site regulations are in parentheses):
Chain O'Lakes State Park (hunting permitted 8:00 a.m. to 4:00 p.m. from the Monday after the non-fee season through January 31 except closed Christmas Day; obtain permit from site office Monday through Friday 8:00 a.m. to 4:00 p.m.)

Eagle Creek State Park (hunting permitted from the end of the statewide firearms season for rabbits through January 31)

Eagle Creek Wildlife Management Area (hunting permitted from the end of the statewide firearms season for rabbits through January 31)

Moraine View State Park (hunting permitted October 1 through two days before the pheasant season opens)

Ten Mile Creek Fish and Wildlife Area (hunting permitted from the end of the firearms rabbit season through January 31)

(Source: Amended at 19 Ill. Reg. _____, effective _____)

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

1) Heading of the Part: Block Grant for School Improvement

2) Code Citation: 23 Ill. Adm. Code 160

3) Section Numbers: Proposed Action:

160.10 New Section
160.20 New Section
160.30 New Section
160.40 New Section

4) Statutory Authority: 105 ILCS 5.

5) A Complete Description of the Subjects and Issues Involved:

Public Act 88-555 combined into a block grant the funds previously made available to school districts for staff development, outcomes and assessment, and second language program planning. The Act called for the State Board of Education to adopt such rules as would be necessary for implementation of the block grant program.

Consistent with the intent of P.A. 88-555 to permit greater flexibility in the distribution and use of the money involved, the proposed rules describe a simple application process for districts to use. The rules also indicate the permissible uses of funds, describe the reports called for in the law, and set forth the other applicable terms of the grant.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this proposed rule contain incorporations by reference?

The rules do not contain an incorporation by reference under Section 5-75 of the Illinois Administrative Procedure Act.

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will not create or enlarge a state mandate.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this notice to:

Sally Vogl
Agency Rules Coordinator
Illinois State Board of Education

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

100 North First Street
Springfield, Illinois 62777
(217) 782-0541

12) Initial Regulatory Flexibility Analysis: These rules will not affect small businesses.

13) State reasons for this rulemaking if it was not included in either of the two (2) most recent regulatory agendas: Not applicable.

The full text of the proposed rule(s) begins on the next page:

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

TITLE 23: EDUCATION AND CULTURAL RESOURCES

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER C: FINANCE

PART 160

BLOCK GRANT FOR SCHOOL IMPROVEMENT

Section

160.10 Purpose

160.20 Use of Funds

160.30 Application, Approval, and Funding

160.40 Terms of the Grant

AUTHORITY: Implementing and authorized by Article 1C of the School Code [105 ILCS 5/Art. 1C].

SOURCE: Adopted at 19 Ill. Reg. _____, effective _____.

Section 160.10 Purpose

- a) This Part establishes the procedures and criteria for approval of applications submitted by school districts to the State Board of Education for block grant funds as authorized by Article 1C of the School Code [105 ILCS 5/Art. 1C].
- b) *The purpose of the block grant is to allow greater flexibility and efficiency in the distribution of certain funds to school districts and in the use of these funds for the improvement of educational services pursuant to locally established priorities (Section 1C-2 of the School Code [105 ILCS 5/1C-2]).*
- c) Block grant programs shall include:
 - 1) staff development, including those programs and activities that meet the requirements of Sections 2-3.59 and 2-3.60 of the School Code;
 - 2) development of outcomes and assessments, including the activities called for in Sections 2-3.63 and 2-3.64 of the School Code;
 - 3) planning related to second language programs; and/or
 - 4) other priorities identified in a district's school improvement plan(s) (see Subpart A of the State Board's rules for Public Schools Evaluation, Recognition and Supervision, 23 Ill. Adm. Code 1).

Section 160.20 Use of Funds

- a) Block grant funds provided pursuant to this Part shall be used only for one or more of the areas listed in Section 160.10(c) of this Part.
- b) An amount not exceeding five percent of a district's block grant funds

STATE BOARD OF EDUCATION

NOTICE OF PROPOSED RULES

may be allocated for administrative costs directly related to one or more of the areas listed in Section 160.10(c) of this Part.

Section 160.30 Application, Approval, and Funding

Each public school district is entitled to receive an annual distribution of block grant funds. This shall be calculated by the State Board of Education on a per-pupil basis, based upon the total amount of funds appropriated for this purpose and the total enrollment in grades K-12 reflected in the Fall Enrollment and Housing Report for the immediately preceding year. The following procedures shall apply to the distribution of these funds.

- a) The State Board of Education shall annually notify school districts of the estimated per-pupil amount of the block grant entitlement. The Board shall distribute application forms to school districts, allowing at least 15 days for districts to complete the applications and return them to the agency.
- b) Each school district wishing to apply for block grant funds shall use the forms supplied by the State Board to furnish the following:
 - 1) A summary of the proposed use of the funds, indicating the types of activities to be funded;
 - 2) The total amount of the grant request, which shall be the estimated amount for which the district is eligible pursuant to this Section; and
 - 3) Such certifications and assurances as the State Board of Education may require.
- c) State Board staff shall contact any school district whose application is incomplete, identifying such additional information as may be necessary for approval of the application.
- d) Failure to comply with submission timelines may delay a school district's receipt of block grant funds.
- e) The State Superintendent of Education shall approve each application that demonstrates compliance with Article 1C of the School Code and this Part.

Section 160.40 Terms of the Grant

- a) Approved block grants will be paid to recipients in semiannual installments.
- b) All grant funds shall be subject to the Illinois Grant Funds Recovery Act [30 ILCS 705].
- c) Each school district applying for funds under this program must have a staff development plan on file, approved as required by Section 2-3.59 of the School Code and the State Board's rules at 23 Ill. Adm. Code 30 (Staff Development Plans and Programs).
- d) Funds granted under this program must be used exclusively for the purposes listed in Section 160.10(c) of this Part and must be expended in accordance with the approved application and the grantee's policies and procedures related to such expenditures. Funds may only be

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expended for activities occurring during the grant period, which shall extend from July 1 of one year through September 15 of the following year.

- e) Each school district receiving block grant funds shall submit the semiannual expenditure reports required by Section 1C-2 of the School Code, on forms supplied by the State Board of Education.
- f) To permit compliance with Section 1C-4 of the School Code [105 ILCS 5/1C-4], each school district shall annually provide to the State Superintendent of Education a year-end report including the activities funded; the numbers of staff members who received staff development services and the content areas involved, if applicable; and a description of the results of the funded activities.

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NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Riverboat Gambling
- 2) Code Citation: 86 Ill. Adm. Code 3000

Section Numbers:	Proposed Action:
3000.300	Amendment
3000.310	Repealed, New
3000.320	Repealed, New
3000.330	Repeal
3000.340	Repeal
3000.350	Repeal
3000.500	Amendment
3000.510	Amendment
3000.614	New Section
3000.616	Amendment
3000.636	New Section

- 4) Statutory Authority: The Riverboat Gambling Act [230 ILCS 10].

- 5) A. Complete Description of the Subjects and Issues Involved: This rulemaking provides for amendments and additions to certain Gaming Board rules. The rules affected are as follows:

Amended Section 3000.300 to clarify the requirements for a licensee's Internal Control System.

Repealed and replaced Section 3000.310 with language establishing the Minimum Internal Control Standards (MICS) of the Board. The new language requires a licensee to maintain, update and make available an Internal Control System which is consistent with the MICS. Additional language allows for a licensee to seek approval for deviations from the MICS.

Repealed and replaced Section 3000.320 with language requiring the Administrator's approval of an applicant's Internal Control System, of all subsequent changes to the Internal Control System and of all deviation's from the MICS. Additional language provides that disciplinary action may be taken against a licensee for violations of an Internal Control System.

Repealed Sections 3000.330, 3000.340 and 3000.350.

Amended Section 3000.500 to clarify that a riverboat captain is responsible for deciding whether a cruise is cancelled or disrupted.

Amended Section 3000.510 to clarify the circumstances under which gaming may be conducted when a cruise has been cancelled or disrupted. Additional language sets forth the sanctions to be imposed upon licensees who conduct gaming in violation of Section 3000.510.

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Added Section 3000.614 to set forth procedures for a licensee to conduct Tournaments, Promotions and Giveaways.

Amended Section 3000.616 to clarify a licensee's responsibilities when a patron presents Chips and Tokens for redemption.

Added Section 3000.636 to set forth requirements regarding the distribution of coupons for complimentary Chips and Tokens.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this part? No

10) Statement of Statewide Policy Objectives: These proposed amendments do not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

John DeGrasse
Legal Division
Illinois Gaming Board
160 N. LaSalle, Suite 300
Chicago, Illinois 60601
(312)814-4641

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: May 23, 1995.

B) Types of small businesses affected: None.

C) Reporting, bookkeeping or other procedures required for compliance: None.

D) Types of professional skills necessary for compliance: None.

13) State reasons for this rulemaking if it was not included in either of the two most recent regulatory agendas: To clarify existing rules and to address emerging issues in the gaming industry.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS GAMING BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 86: REVENUE
CHAPTER IV: ILLINOIS GAMING BOARD

PART 3000
RIVERBOAT GAMBLING

SUBPART A: GENERAL PROVISIONS

Section	
3000.100	Definitions
3000.101	Invalidity
3000.110	Disciplinary Actions
3000.115	Records Retention
3000.120	Place to Submit Materials
3000.130	No Opinion or Approval of the Board
3000.140	Duty to Disclose Changes in Information
3000.141	Applicant/Licensee Disclosure of Agents
3000.150	Owner's and Supplier's Duty to Investigate Job Applicants
3000.155	Investigatory Proceedings
3000.160	Owner's and Supplier's Duty to Report Misconduct
3000.161	Communication with Other Agencies
3000.165	Participation in Games by Owners, Directors, Officers, Key Persons or Gaming Employees
3000.170	Fair Market Value of Contracts
3000.180	Weapons on Riverboat

SUBPART B: LICENSES

Section	
3000.200	Classification of Licenses
3000.210	Fees and Bonds
3000.220	Applications
3000.230	Owner's Licenses
3000.231	Distributions
3000.235	Transferability
3000.240	Supplier's Licenses
3000.245	Occupational Licenses
3000.250	Transferability of Licenses
3000.260	Waiver of Requirements
3000.270	Certification and Registration of Electronic Gaming Devices
3000.280	Application for Registration for all Gaming Devices
3000.281	Transfer of Registration
3000.282	Seizure of Gaming Devices
3000.283	Analysis of Questioned Electronic Gaming Devices

SUBPART C: OWNER'S INTERNAL CONTROL SYSTEM

Section

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3000.300 General Requirements - ~~Objectives of Internal Control System~~
 3000.310 Minimum Internal Control Standards ~~Administrative Approval~~
 3000.320 Approval of Internal Control System Requirements
 3000.330 Review of Procedures (Repealed)
 3000.340 Operating Procedures (Repealed)
 3000.350 Modifications (Repealed)

SUBPART D: HEARINGS ON NOTICE OF DENIAL OR PLACEMENT ON EXCLUSION LIST

Section
 3000.400 Coverage of Subpart
 3000.405 Requests for Hearings
 3000.410 Appearances
 3000.415 Discovery
 3000.420 Motions for Summary Judgment
 3000.425 Proceedings
 3000.430 Evidence
 3000.431 Prohibition on Ex Parte Communication
 3000.435 Sanctions and Penalties
 3000.440 Transmittal of Record and Recommendation to the Board
 3000.445 Status of Applicant for Licensure or Transfer Upon Filing Request for Hearing

SUBPART E: EXCURSIONS

Section
 3000.500 Time of Excursion
 3000.510 Excursions During Inclement Weather or Mechanical Difficulties

SUBPART F: CONDUCT OF GAMING

Section
 3000.600 Wagering Only with Approved Chips, Tokens and Electronic Cards
 3000.605 Authorized Games
 3000.610 Publication of Rules and Payout Ratio for Live Gaming Devices
 3000.614 Tournaments, Promotions and Giveaways
 3000.615 Payout Percentage for Electronic Gaming Devices
 3000.616 Cashing-In
 3000.620 Submission of Chips for Review and Approval
 3000.625 Chip Specifications
 3000.630 Primary, Secondary and Reserve Sets of Gaming Chips
 3000.635 Issuance and Use of Tokens for Gaming in Electronic Gaming Devices
 3000.636 Distribution of Coupons for Complimentary Chips and Tokens
 3000.640 Exchange of Chips and Tokens
 3000.645 Receipt of Gaming Chips or Tokens from Manufacturer or Distributor
 3000.650 Inventory of Chips
 3000.655 Destruction of Chips and Tokens
 3000.660 Minimum Standards for Electronic Gaming Devices

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3000.665 Integrity of Electronic Gaming Devices
 3000.670 Computer Monitoring Requirements of Electronic Gaming Devices

SUBPART G: EXCLUSION OF PERSONS

Section
 3000.700 Duty to Exclude
 3000.710 Distribution and Availability of Exclusion Lists
 3000.720 Criteria for Exclusion or Ejection and Placement on an Exclusion List
 3000.730 Procedure for Entry of Names
 3000.740 Petition for Removal from Exclusion List

SUBPART H: SURVEILLANCE AND SECURITY

Section
 3000.800 Required Surveillance Equipment
 3000.810 Security and Board Surveillance Rooms Requirements
 3000.820 Segregated Telephone Communication
 3000.830 Security Logs
 3000.840 Storage and Retrieval
 3000.850 Dock Site Board Facility
 3000.860 Maintenance and Testing

SUBPART I: LIQUOR LICENSES

Section
 3000.900 Liquor Control Commissioner
 3000.910 Liquor Licenses
 3000.920 Disciplinary Action
 3000.930 Hours of Sale

SUBPART J: ACCOUNTING RECORDS AND PROCEDURES

Section
 3000.1000 Ownership Records
 3000.1010 Accounting Records
 3000.1020 Standard Financial and Statistical Records
 3000.1030 Annual Audits and Other Reporting Requirements
 3000.1040 Accounting Controls Within the Casinier's Cage
 3000.1050 Procedures for Exchange of Checks Submitted by Gaming Patrons and Granting Credit
 3000.1060 Handling of Cash at Gaming Tables
 3000.1070 Tips or Gratuities
 3000.1071 Deposits of Admission Tax and Wagering Tax
 3000.1072 Cash Reserve Requirements

SUBPART K: SEIZURE AND DISCIPLINARY HEARINGS

ILLINOIS GAMING BOARD

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including without limitation a separate section for the following:

- 1) Live Games
 - A) Physical characteristics of drop box and tip box
 - B) Transportation of drop and tip boxes to and from Gaming tables
 - C) Procedures for chip purchases
 - D) Procedures for chip inventory
 - E) Procedures for opening Gaming tables
 - F) Procedures for accepting cash and cash equivalents at Gaming tables
 - G) Procedures for fills and credits
 - H) Procedures for accepting tips or gratuities from patrons
 - I) Procedures for transporting chips and tokens to and from Gaming tables
 - J) Procedures for shift changes at Gaming tables
 - K) Procedures for closing Gaming tables
- 2) Electronic Gaming Devices
 - A) Drop bucket characteristics
 - B) Transportation of drop buckets to and from Electronic Gaming Devices
 - C) Procedures for token purchases
 - D) Procedures for token inventory
 - E) Procedures for token fill
 - F) Procedures for transportation of Electronic Gaming Devices
 - G) Procedures for jackpots
- 3) Casino's cage
 - A) Layout and physical characteristics
 - B) Procedures for accounting controls
 - C) Procedures for exchange of checks submitted by Gaming patrons
 - D) Procedures for granting credit
 - E) Procedures for acceptance accounting for and redemption of patron's cash deposits
 - F) Procedures for control of coupon redemption and other complimentary distribution programs
 - G) Procedures for promissory facilities
 - H) Procedures for Federal Cash Transactions reporting
- 4) Count Room
 - A) Characteristics
 - B) Procedures for counting and recording Gaming table drop and tip boxes
 - C) Procedures for counting and recording Electronic Gaming Device drop buckets
- 5) Internal Audit
 - A) Description of and procedures for a holder's security and surveillance system and all rules concerning live games

a) The Internal Control System of an applicant that is found

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preliminarily suitable must be initially approved by the Administrator prior to the commencement of Gaming operations.

- b) Deviations from the MICS of the Board must be submitted in writing to the Administrator for approval at least 30 days prior to the proposed effective date of the deviation(s) requested, unless such time frame is waived by the Administrator. No deviation may be implemented by the holder of an Owner's License unless approved by the Administrator.
- c) Proposed changes to the Internal Control System must be submitted in writing to the Administrator for approval as provided in the Board's MICS. No Internal Control System change may be implemented by the holder of an Owner's License unless approved by the Administrator.
- d) The holder of an Owner's License is subject to board disciplinary action for violations of its Internal Control System.
- e) Employees of a Riverboat Gaming Operation are subject to disciplinary action by the Board for the violation of the holder of an Owner's License's Internal Control System.
- f) The Internal Control System of each holder of an Owner's License or applicant found preliminarily suitable may be reviewed for compliance with the requirements of these rules by an independent certified public accountant selected by the Administrator. Each certified public accountant must be registered in the State of Illinois under the Illinois Public Accounting Act.

(Source: Section repealed, new Section adopted at 19 Ill. Reg. _____, effective _____)

Section 3000.330 Review of Procedures (Repealed)

The submission required by Section 3000.320(c) shall be reviewed for compliance with the requirements of these rules by an independent certified public accountant selected by the Administrator. Each certified public accountant must be registered in the State of Illinois under the Illinois Public Accounting Act.

(Source: Repealed at 19 Ill. Reg. _____, effective _____)

Section 3000.340 Operating Procedures (Repealed)

The holder of an Owner's License shall submit to the Administrator a detailed description of operating procedures including contingency and emergency procedures.

(Source: Repealed at 19 Ill. Reg. _____, effective _____)

Section 3000.350 Modifications (Repealed)

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~~The holder of an Owner's license shall submit to the Administrator any changes to the Internal Control System. No such holder shall alter its Internal Control System unless and until such changes are approved by the Administrator.~~

(Source: Repealed at 19 Ill. Reg. _____, effective _____)

SUBPART E: EXCURSIONS

Section 3000.500 Time of Excursion

- a) Except as provided in this Section and in Section 3000.510, no Gaming shall be conducted while a Riverboat is docked. A Riverboat captain shall decide whether to cancel or disrupt a cruise.
- b) A Gaming excursion shall be deemed to have started upon the commencement of Gaming.
- c) For the purpose of orderly ingress of passengers to a Riverboat, Gaming gaming shall be deemed to commence when the first passenger boards a Riverboat for an excursion and may continue while other passengers are boarding for a period not to exceed thirty (30) minutes, at which time the gangplank or its equivalent shall be raised ~~putted-up~~ and further boarding shall not be permitted.
- d) For the purpose of orderly egress of passengers from a Riverboat at the end of an excursion, Gaming gaming may continue for a period not to exceed thirty (30) minutes after the gangplank or its equivalent is lowered. During this thirty (30) minute period of egress, new passengers may not board a Riverboat.
- e) These periods of ingress and egress time shall not extend the four-hour maximum period during which Gaming gaming may be conducted during a Gaming gaming excursion.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 3000.510 Excursions During Inclement Weather or Mechanical Difficulties

- a) If a Riverboat captain reasonably determines that either of the following circumstances exist, he shall either not leave the dock or immediately return thereto:
 - 1) The captain deems it unsafe to transport passengers on the waterway due to inclement weather; or
 - 2) The Riverboat has been rendered temporarily inoperable by river icing or unforeseeable mechanical or structural difficulties or river ~~river~~ icing. In the case of unforeseeable mechanical or structural difficulties, the holder of an Owner's License shall make all reasonable effort to remedy the problem promptly.
- b) If a Riverboat captain reasonably determines for reasons of safety

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that although seaworthy, the Riverboat should not leave the dock, or should return immediately thereto, due to either of the above conditions, a Gaming excursion may commence or continue while the gangplank or its equivalent is raised and remains raised, in which event the Riverboat shall not be considered docked. If, due to either of the above conditions, a Gaming excursion must commence or continue with the gangplank or its equivalent raised, and the Riverboat does not leave the dock, ingress is prohibited until the completion of the excursion.

- c) Once a Riverboat captain has determined that circumstances set forth above have occurred, the Riverboat shall not depart from the dock for the scheduled excursion or the remainder of an excursion period, whichever is applicable.
- d) For reasons of extraordinary and unforeseeable matters involving security, personal health or safety, a ship captain may delay a scheduled departure from the dock or return to the dock before the end of the scheduled excursion. During this disrupted cruise excursion period, Gaming may be conducted. However, no new Gaming passengers may board during this disrupted cruise excursion period.
- e) If a Riverboat captain deems it necessary to take any action specified in this Section ~~either of the actions specified in paragraph (a), the holder of an Owner's License shall promptly file with the Administrator a report detailing the basis for such action.~~
- f) Any holder of an Owner's License who conducts Gaming in violation of this Section shall be fined an amount determined as follows:

The number of admissions for the cruise(s) in violation as a percentage of the total admissions for the Gaming day multiplied by the Adjusted Gross Receipts for that Gaming day.

Repeated violations of this subsection may result in more severe disciplinary action.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

SUBPART F: CONDUCT OF GAMING

Section 3000.614 Tournaments, Promotions and Giveaways

- a) Tournaments, Promotions or Giveaways involving Gaming may only be conducted when:
 - 1) Documented in the Internal Control System of the holder of an Owner's License;
 - 2) In conformance with the Act, the rules of the Board and the Minimum Internal Control Standards; and
 - 3) Approved by the Administrator.
- b) The Internal Control System provisions for the conduct of Tournaments, Promotions or Giveaways involving Gaming shall be submitted by the

ILLINOIS GAMING BOARD

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holder of an Owner's License pursuant to Subpart C, Section 3000.300 through 3000.320.

- c) Requests for the conduct of specific Tournaments, Promotions and Giveaways involving Gaming must be received in writing by the Administrator at least 14 days prior to the proposed date of implementation.

(Source: Added at 19 Ill. Reg. _____, effective _____)

Section 3000.616 Cashing-In

A holder of an Owner's License shall comply with all federal Federal and state regulations and requirements for the withholding of taxes from winnings and/or the filing of Currency Transaction Reports. The patron shall produce an identification card confirming information required by these forms, prior to the disbursement of winnings.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

Section 3000.636 Distribution of Coupons for Complimentary Chips and Tokens

The holder of an Owner's License may, for specified marketing purposes, provide patrons of its Riverboat Gaming Operation coupons redeemable for complimentary Chips or Tokens, with the approval of the Administrator and subject to the following requirements:

- The processes and procedures for the control, accountability and distribution of coupons for Chips and Tokens and for the redemption of such coupons are provided for in the holder of an Owner's License's Internal Control System and in conformance with the applicable Minimum Internal Control Standards of the Board;
- The aggregate dollar value of Chips or Tokens authorized for complimentary purposes is determined by the Administrator to be reasonable in light of the specific marketing objectives of the licensee;
- Any intermediary organizations involved in the coupon distribution processes and procedures are licensed as Suppliers or are otherwise authorized by the Administrator for participation in the coupon distribution effort; and
- Periodic internal audits validate the integrity and accountability of the processes and procedures authorized and required under this Section 3000.636.

(Source: Added at 19 Ill. Reg. _____, effective _____)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- Heading of the Part: Solid Waste Disposal: General Provisions
- Code Citation: 35 Ill. Adm. Code 810
- Section Numbers: Proposed Action: Amend
810.103
- Statutory Authority: Implementing Sections 5, 21, 21.1, 22, and 22.17, and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/5, 21, 21.1, 22, 22.17 and 27]

5) A Complete Description of the Subjects and Issues Involved: A more detailed description of this Section 810.103 rulemaking is included in the Board's May 18, 1995 opinion and order in docket R95-9, which is available from the address below. This rule was proposed by the Illinois Farm Bureau, Illinois Beef Association, Illinois Lamb and Wool Producers, Inc., Illinois Milk Producers Association, and Illinois Pork Producers Association as joint proponents. The Board held hearings on April 3, 1995 in Dekalb and April 10, 1995 in Springfield, Illinois. Briefly, the rulemaking defines a "dead animal disposal site" as an on-the-farm disposal site when burial of dead animals is conducted in compliance with the Illinois Dead Animal Disposal Act, 225 ILCS 610 as amended by P.A. 88-133, effective January 1, 1994, and regulations adopted pursuant thereto, 8 Ill. Adm. Code 90. This rulemaking specifies that dead animal disposal sites are excluded from the definitions of "landfill" and "municipal solid waste landfill". The consequence of adoption of these definitional changes is to clarify that the dead animal disposal sites are not landfill sites, and hence not subject to the Board's regulations governing landfills.

- Will this proposed rule replace an emergency rule currently in effect? No
- Does this rulemaking contain an automatic repeal date? No
- Does this proposed amendment contain incorporations by reference? No
- Are there any other amendments pending on this Part? No
- Statement of Statewide Policy Objectives: This proposed amendment does not create or enlarge a state mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- Time, Place and Manner in which interested persons may comment on this proposed rulemaking: This Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should reference Docket R95-9 and be addressed to:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center
100 W. Randolph St., Suite 11-500
Chicago, IL 60601
(312) 814-6931

and

Nancy Erickson, Program Manager
Natural Resources
Illinois Farm Bureau
1701 Towanda Avenue
Bloomington, IL 61702

Questions may be directed to Audrey Tozok-Lawless at the Illinois Pollution Control Board at 312-814-6923, or 815-753-0947, or Nancy Erickson, Illinois Farm Bureau, 309-557-3153.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: May 22, 1995
- B) Types of small businesses affected: Those that engage in housing of animals, including but not limited to equine, canine, poultry and livestock producers (e.g., swine, bovine, caprine).
- C) Reporting, bookkeeping or other procedures required for compliance: This amendment will eliminate overlapping regulation of small businesses, such as livestock producers, where animals are housed and buried on the farm site when deaths occur. A dead animal disposal site that is located on the farm and that is in compliance with the Illinois Dead Animal Disposal Act and regulations pursuant thereto will not be subject to landfill requirements.
- D) Types of professional skills necessary for compliance: There are no professional skills necessary to comply with this rulemaking.

- 13) State reason(s) for this rulemaking if it was not include in either of the two most recent regulatory agendas: This rulemaking was proposed by the Illinois Farm Bureau, Illinois Beef Association, Illinois Lamb and Wool Producers, Inc., Illinois Milk Producers Association, and Illinois Pork Producers Association on February 2, 1995. The Board did not have any prior notification that this rulemaking would be proposed when the Board completed its regulatory agenda.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE C: WASTE DISPOSAL
CHAPTER I: POLLUTION CONTROL BOARD
SUBCHAPTER I: SOLID WASTE AND SPECIAL WASTE HAULING

PART 810

SOLID WASTE DISPOSAL: GENERAL PROVISIONS

Section	Scope and Applicability
810.101	Severability
810.102	Definitions
810.103	Incorporations by Reference
810.104	

AUTHORITY: Implementing Sections 5, 21, 21.1, 22 and 22.17, and authorized by Section 27, of the Environmental Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1005, 1021, 1021.1, 1022, 1022.17 and 1027) (415 ILCS 5/5, 21, 21.1, 22, 22.17 and 271).

SOURCE: Adopted in R39-7 at 14 Ill. Reg. 15838, effective September 18, 1990; amended in R93-10 at 18 Ill. Reg. 1268, effective January 13, 1994; amended in R90-26 at 18 Ill. Reg. 12457, effective August 1, 1994; amended in R95-9 at 18 Ill. Reg. _____, effective _____.

Section 810.103 Definitions

Except as stated in this Section, or unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as that applied to the same words or terms in the Environmental Protection Act (Act) (Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et. seq.) (415 ILCS 5):

"Act" means the Environmental Protection Act, Ill. Rev. Stat. 1991, ch. 111 1/2, pars. 1001 et. seq. (415 ILCS 5).

"Admixtures" are chemicals added to earth materials to improve for a specific application the physical or chemical properties of the earth materials. Admixtures include, but are not limited to: lime, cement, bentonite and sodium silicate.

"Agency" is the environmental protection agency established by the Environmental Protection Act. (Section 3.08 of the Act)

"Applicant" means the person, submitting an application to the Agency for a permit for a solid waste disposal facility.

"Aquifer" means saturated with groundwater soils and geologic

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materials which are sufficiently permeable to readily yield economically useful quantities of water to wells, springs, or streams under ordinary hydraulic gradients and whose boundaries can be identified and mapped from hydrogeologic data. (Section 3 of the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1991, ch. 111 1/2, par. 7453) [415 ILCS 55/3])

"Bedrock" means the solid rock formation immediately underlying any loose superficial material such as soil, alluvium or glacial drift.

"Beneficially usable waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.106.

"Board" is the Pollution Control Board established by the Act. (Section 3.04 of the Act)

"Borrow area" means an area from which earthen material is excavated for the purpose of constructing daily cover, final cover, a liner, a gas venting system, roadways or berms.

"Chemical waste" means a non-putrescible solid whose characteristics are such that any contaminated leachate is expected to be formed through chemical or physical processes, rather than biological processes, and no gas is expected to be formed as a result.

"Contaminated leachate" means any leachate whose constituent violate the standards of 35 Ill. Adm. Code 811.202.

"Dead animal disposal site" means an on-the-farm disposal site at which the burial of dead animals is done in accordance with the Illinois Dead Animal Disposal Act, 225 ILCS 610, see P.A. 88-133, effective January 1, 1994, and regulations adopted pursuant thereto, 8 Ill. Adm. Code 90.

"Design Period" means that length of time determined by the sum of the operating life of the solid waste landfill facility plus the postclosure care period necessary to stabilize the waste in the units.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste into or on any land or water or into any well such that solid waste or any constituent of the solid waste may enter the environment by being emitted into the air or discharged into any waters, including groundwater. (Section 3.08 of the Act) If the solid waste is accumulated and not confined or contained to prevent its entry into the environment, or there is no

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certain plan for its disposal elsewhere, such accumulation shall constitute disposal.

"Disturbed areas" means those areas within a facility that have been physically altered during waste disposal operations or during the construction of any part of the facility.

"Documentation" means items, in any tangible form, whether directly legible or legible with the aid of any machine or device, including but not limited to affidavits, certificates, deeds, leases, contracts or other binding agreements, licenses, permits, photographs, audio or video recordings, maps, geographic surveys, chemical and mathematical formulas or equations, mathematical and statistical calculations and assumptions, research papers, technical reports, technical designs and design drawings, stocks, bonds and financial records, that are used to support facts or hypotheses.

"Earth liners" means structures constructed from naturally occurring soil material that has been compacted to achieve a low permeability.

"Existing facility" or "Existing unit" means a facility or unit which is not defined in this Section as a new facility or a new unit.

"Existing MSWLF Unit" means any municipal solid waste landfill unit that has received household waste before October 9, 1993. (Section 3.87 of the Act)

"Facility" means a site and all equipment and fixtures on a site used to treat, store or dispose of solid or special wastes. A facility consists of an entire solid or special waste treatment, storage or disposal operation. All structures used in connection with or to facilitate the waste disposal operation shall be considered a part of the facility. A facility may include, but is not limited to, one or more solid waste disposal units, buildings, treatment systems, processing and storage operations, and monitoring stations.

"Field capacity" means that maximum moisture content of a waste, under field conditions of temperature and pressure, above which moisture is released by gravity drainage.

"Foundry sand" means pure sand or a mixture of sand and any additives necessary for use of the sand in the foundry process, but does not include such foundry process by-products as air pollution control dust or refractories.

"Gas collection system" means a system of wells, trenches, pipes and other related ancillary structures such as manholes, compressor housing, and monitoring installations that collect and transports the

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gas produced in a putrescible waste disposal unit to one or more gas processing points. The flow of gas through such a system may be produced by naturally occurring gas pressure gradients or may be aided by an induced draft generated by mechanical means.

"Gas condensate" means the liquid formed as a landfill gas is cooled or compressed.

"Gas venting system" means a system of wells, trenches, pipes and other related structures that vents the gas produced in a putrescible waste disposal unit to the atmosphere.

"Geomembranes" means manufactured membrane liners and barriers of low permeability used to control the migration of fluids or gases.

"Geotextiles" are permeable manufactured materials used for purposes which include, but are not limited to, strengthening soil, providing a filter to prevent clogging of drains, collecting and draining liquids and gases beneath the ground surface.

"Groundwater" means underground water which occurs within the saturated zone and within geologic materials where the fluid pressure in the pore space is equal to or greater than atmospheric pressure. (Section 3 of the Illinois Groundwater Protection Act)

"Household waste" means any solid waste (including garbage, trash, and sanitary waste in septic tanks) derived from households (including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). (Section 3.89 of the Act)

"Hydraulic barriers" means structures designed to prevent or control the seepage of water. Hydraulic barriers include, but are not limited to cutoff walls, slurry walls, grout curtains and liners.

"Inert waste" means any solid waste that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a contaminated leachate, as determined in accordance with Section 811.202(b). Such inert wastes shall include only non-biodegradable and non-putrescible solid wastes. Inert wastes may include, but are not limited to, bricks, masonry and concrete (cured for 60 days or more).

"Iron slag" means slag.

"Land application unit" means an area where wastes are agronomically spread over or disked into land or otherwise applied so as to become incorporated into the soil surface. For the purposes of this Part and

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35 Ill. Adm. Code 811 through 815, a land application unit is not a landfill; however, other Parts of 35 Ill. Adm. Code: Chapter I may apply, and may include the permitting requirements of 35 Ill. Adm. Code 309.

"Landfill" means a unit or part of a facility in or on which waste is placed and accumulated over time for disposal, and which is not a land application unit, a surface impoundment, a dead animal disposal site or an underground injection well. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, landfills include waste piles, as defined in this Section.

"Lateral Expansion" means a horizontal expansion of the actual waste boundaries of an existing NSWLF unit occurring on or after October 9, 1993. For purposes of this Section, a horizontal expansion is any area where solid waste is placed for the first time directly upon the bottom liner of the unit, excluding side slopes on or after October 9, 1993. (Section 3.88 of the Act)

"Leachate" means liquid that has been or is in direct contact with a solid waste.

"Lift" means an accumulation of waste which is compacted into a unit and over which cover is placed.

"Low risk waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.106.

"Malodor" means an odor caused by one or more contaminant emissions into the atmosphere from a facility that is in sufficient quantities and of such characteristics and duration as to be described as malodorous and which may be injurious to human, plant, or animal life, to health, or to property, or to unreasonably interfere with the enjoyment of life or property. (Section 3.02 of the Act (defining "air pollution"))

"Municipal Solid Waste Landfill Unit" or "NSWLF Unit" means a contiguous area of land or an excavation that receives household waste, and that is not a land application, surface impoundment, a dead animal disposal site, injection well, or any pile of noncontained accumulations of solid, nonflowing waste that is used for treatment or storage. A NSWLF unit may also receive other types of RCRA Subtitle D wastes, such as commercial solid waste, nonhazardous sludge, small quantity generator waste and industrial solid waste. Such a landfill may be publicly or privately owned or operated. A NSWLF unit may be a

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new MSWLF unit, an existing MSWLF unit or a lateral expansion. A sanitary landfill is subject to regulation as a MSWLF if it receives household waste. (Section 3.85 of the Act)

"National Pollutant Discharge Elimination System" or "NPDES" means the program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits and imposing and enforcing pretreatment requirements under the Clean Water Act (33 U.S.C. 1251 et seq.), Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309, Subpart A and 310.

"NPDES permit" means a permit issued under the NPDES program.

"New facility" or "New unit" means a solid waste landfill facility or a unit at a facility, if one or more of the following conditions apply:

It is a landfill or unit exempt from permit requirements pursuant to Section 21(d) of the Act that has not yet accepted any waste as of September 18, 1990;

It is a landfill or unit not exempt from permit requirements pursuant to Section 21(d) of the Act that has no development or operating permit issued by the Agency pursuant to 35 Ill. Adm. Code 807 as of September 18, 1990; or

It is a landfill with a unit whose maximum design capacity or lateral extent is increased after September 18, 1990.

BOARD NOTE: A new unit located in an existing facility shall be considered a unit subject to 35 Ill. Adm. Code 814, which references applicable requirements of 35 Ill. Adm. Code 811.

"New MSWLF Unit" means any municipal solid waste landfill unit that has received household waste on or after October 9, 1993, for the first time. (Section 3.86 of the Act)

"One hundred (100) year flood plain" means any land area which is subject to a one percent or greater chance of flooding in a given year from any source.

"One hundred (100) year, 24 hour precipitation event" means a precipitation event of a 24 hour duration with a probable recurrence interval of once in 100 years.

"Operator" means the person responsible for the operation and maintenance of a solid waste disposal facility.

"Owner" means a person who has an interest, directly or indirectly, in

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land, including a leasehold interest, on which a person operates and maintains a solid waste disposal facility. The "owner" is the "operator" if there is no other person who is operating and maintaining a solid waste disposal facility.

"Perched watertable" means an elevated water table above a discontinuous saturated lens, resting on a low permeability (such as clay) layer within a high permeability (such as sand) formation.

"Permit area" means the entire horizontal and vertical region occupied by a permitted solid waste disposal facility.

"person" is any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, political subdivision, state agency, or any other legal entity, or their legal representative, agent or assigns. (Section 3.26 of the Act)

"Potentially usable waste" means any solid waste from the steel and foundry industries that will not decompose biologically, burn, serve as food for vectors, form a gas, cause an odor, or form a leachate that contains constituents that exceed the limits for this type of waste as specified at 35 Ill. Adm. Code 817.106.

"Professional engineer" means a person who has registered and obtained a seal pursuant to the Professional Engineering Practice Act of 1989 (Ill. Rev. Stat. 1991, ch. 111, par. 5201 et seq.) [225 ILCS 325].

"Professional land surveyor" means a person who has received a certificate of registration and a seal pursuant to the Illinois Professional Land Surveyor Act of 1989 (Ill. Rev. Stat. 1991, ch. 111, par. 3251 et seq.) [225 ILCS 330].

"Putrescible waste" means a solid waste that contains organic matter capable of being decomposed by microorganisms so as to cause a malodor, gases, or other offensive conditions, or which is capable of providing food for birds and vectors. Putrescible wastes may form a contaminated leachate from microbiological degradation, chemical processes, and physical processes. Putrescible waste includes, but is not limited to, garbage, offal, dead animals, general household waste, and commercial waste. All solid wastes which do not meet the definitions of inert or chemical wastes shall be considered putrescible wastes.

"Publicly owned treatment works" or "POTW" means a treatment works that is owned by the State of Illinois or a unit of local government. This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial

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wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the unit of local government which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.

"Recharge zone" means an area through which water can enter an aquifer.

"Resource Conservation Recovery Act" "RCRA" means the Resource Conservation and Recovery Act of 1976 (P.L. 94-580 Codified as 42 USC. Sec. 6901 et seq.) as amended. (Section 3.90 of the Act)

"Responsible charge," when used to refer to a person, means that the person is normally present at a waste disposal site; directs the day-to-day overall operation at the site; and either is the owner or operator or is employed by or under contract with the owner or operator to assure that the day-to-day operations at the site are carried out in compliance with any Part of 35 Ill. Adm. Code: Chapter I governing operations at waste disposal sites.

"Runoff" means water resulting from precipitation that flows overland before it enters a defined stream channel, any portion of such overland flow that infiltrates into the ground before it reaches the stream channel, and any precipitation that falls directly into a stream channel.

"Salvaging" means the return of waste materials to use, under the supervision of the landfill operator, so long as the activity is confined to an area remote from the operating face of the landfill, it does not interfere with or otherwise delay the operations of the landfill, and it results in the removal of all materials for salvaging from the landfill site daily or separates them by type and stores them in a manner that does not create a nuisance, harbor vectors or cause an unsightly appearance.

"Scavenging" means the removal of materials from a solid waste management facility or unit which is not salvaging.

"Seismic Slope Safety Factor" means the ratio between the resisting forces or moments in a slope and the driving forces or moments in a slope and the driving forces or moments that may cause a massive slope failure during an earthquake or other seismic event such as an explosion.

"Settlement" means subsidence caused by waste loading, changes in groundwater level, chemical changes within the soil and adjacent operations involving excavation.

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"Shredding" means the mechanical reduction in particle sizes of solid waste. Putrescible waste is considered shredded if 90 percent of the waste by dry weight passes a 3 inch sieve.

"Significant Modification" means a modification to an approved permit issued by the Agency in accordance with Section 39 of the Act and 35 Ill. Adm. Code 813 that is required when one or more of the following changes, considered significant when that change measured by one or more parameters whose values lie outside the expected operating range of values for that parameter as specified in the permit, are planned, occur or will occur:

An increase in the capacity of the waste disposal unit over the permitted capacity:

Any change in the placement of daily, intermediate or final cover:

A decrease in performance, efficiency or longevity of the liner system:

A decrease in efficiency or performance of the leachate collection system:

A change in configuration, performance, or efficiency of the leachate management system:

A change in the final disposition of treated effluent or in the quality of the discharge from the leachate treatment or pretreatment system:

Installation of a gas management system, or a decrease in the efficiency or performance of an existing gas management system:

A change in the performance or operation of the surface water control system:

A decrease in the quality or quantity of data from any environmental monitoring system:

A change in the applicable background concentrations or the maximum allowable predicted concentrations:

A change in the design or configuration of the regraded area after development or after final closure:

A change in the amount or type of postclosure financial assurance:

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Any change in the permit boundary;

A change in the postclosure land use of the property;

A remedial action necessary to protect groundwater;

Transfer of the permit to a new operator;

Operating authorization is being sought to place into service a structure constructed pursuant to a construction quality assurance program; or

A change in any requirement set forth as a special condition in the permit.

"Slag" means the fused agglomerate which separates in the iron and steel production and floats on the surface of the molten metal.

"Sole source aquifer" means those aquifers designated pursuant to Section 1424(e) of the Safe Drinking Water Act of 1974 (42 U.S.C. 300h-3).

"Solid waste" means a waste that is defined in this Section as an inert waste, as a putrescible waste, as a chemical waste or as a special waste, and which is not also defined as a hazardous waste pursuant to 35 Ill. Adm. Code 721.

"Special Waste" means any industrial process waste, pollution control waste or hazardous waste, except as determined pursuant to Section 22.9 of the Act and 35 Ill. Adm. Code 808. (Section 3.45 of the Act)

"Static Safety Factor" means the ratio between resisting forces or moments in a slope and the driving forces or moments that may cause a massive slope failure.

"Steel slag" means slag.

"Surface impoundment" means a natural topographic depression, a man-made excavation, or a diked area into which flowing wastes, such as liquid wastes or wastes containing free liquids, are placed. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a surface impoundment is not a landfill. Other Parts of 35 Ill. Adm. Code: Chapter I may apply, including the permitting requirements of 35 Ill. Adm. Code 309.

"Twenty-five (25) year, 24 hour precipitation event" means a precipitation event of 24 hour duration with a probable recurrence interval of once in 25 years.

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"Uppermost aquifer" means the first geologic formation above and below the bottom elevation of a constructed liner or wastes, where no liner is present, which is an aquifer, and includes any lower aquifer that is hydraulically connected with this aquifer within the facility's permit area.

"Unit" means a contiguous area used for solid waste disposal.

"Unit of local government" means a unit of local government, as defined by Article 7, Section 1 of the Illinois Constitution. A unit of local government may include, but is not limited to, a municipality, a county, or a sanitary district.

"Waste pile" means an area on which noncontainerized masses of solid, non flowing wastes are placed for disposal. For the purposes of this Part and 35 Ill. Adm. Code 811 through 815, a waste pile is a landfill, unless the operator can demonstrate that the wastes are not accumulated over time for disposal. At a minimum, such demonstration shall include photographs, records or other observable or discernable information, maintained on a yearly basis, that show that within the preceding year the waste has been removed for utilization or disposed elsewhere.

"Waste stabilization" means any chemical, physical or thermal treatment of waste, either alone or in combination with biological processes, which results in a reduction of microorganisms, including viruses, and the potential for putrefaction.

"Working face" means any part of a landfill where waste is being disposed.

"Zone of Attenuation" means the three dimensional region formed by excluding the volume occupied by the waste placement from the smaller of the volumes resulting from vertical planes drawn to the bottom of the uppermost aquifer at the property boundary or 100 feet from the edge of one or more adjacent units.

(Source: Amended at 19 Ill. Reg. _____, effective _____)

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Numbers: Adopted Action:
- | | |
|----------|-----------|
| 1501.201 | Amendment |
| 1501.301 | Amendment |
| 1501.302 | Amendment |
| 1501.303 | Amendment |
| 1501.304 | Amendment |
| 1501.308 | Amendment |
| 1501.309 | Amendment |
| 1501.508 | Amendment |
| 1501.510 | Amendment |

- 4) Statutory Authority: Ill. Rev. Stat. 1991, ch. 122, pars. 102-1 et seq., pars. 103-1 et seq., and par. 106-5.3 [110 ILCS 805/2-1 et seq., 805/3-1, and 6-5.3]

- 5) Effective Date of Amendments: May 26, 1995

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do the Amendments contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: September 19, 1994

- 9) Notice of Proposal Published in Illinois Register: October 28, 1994, 18 Ill. Reg. 15665

- 10) Has JCAR issued a Statement of Objections to the Amendments? No

- 11) Differences between proposal and final version: Several minor typographical changes were made. Section was alphabetized.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No agreements were necessary.

- 13) Will the Amendment replace an emergency rule currently in effect? No

- 14) Are there any Amendments pending on this Part? No

- 15) Summary and Purpose of Amendment: The amendments clarify the definition of terms related to college curricula. Also, the changes delete the various planning regions that had existed for the purpose of facilitating

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the planning of instructional and public service programs. This will afford the local institutions the flexibility to determine the appropriate region for its program planning and delivery purposes. The amendments enable colleges to create extensions of existing programs from a cluster of closely related programs; create small certificates from larger certificates; and substitute a greater number of credit hours in the newly created extensions. Finally, the amendments reduce burdensome reporting requirements on local institutions by eliminating and/or consolidating various reports.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Ivan J. Lach
Deputy Director for Programs
Illinois Community College Board
509 South Sixth Street, Room 400
Springfield, Illinois 62701-1874
(217) 785-0088 (voice)
(217) 782-5645 (TDD)

The full text of the Adopted Amendments begins on the next page:

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section	
1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

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Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

SUBPART E: FINANCE

Section	
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Nonresident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts

SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition

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1501.704 Programs
1501.705 Finance
1501.706 Personnel
1501.707 Facilities

Section
1501.801 Definition of Terms
1501.802 Sabbatical Leaves

SUBPART H: PERSONNEL

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [110 ILCS 805/Arts. II and III and 6-5.3].

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14562, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 3 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7608, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989; emergency amendment at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10752, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 7513, effective

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SUBPART B: LOCAL DISTRICT ADMINISTRATION

Section 1501.201 Reporting Requirements

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Complete and accurate reports shall be submitted by the district/college to the ICCB in accordance with ICCB requirements and on forms provided by the ICCB, where applicable.

Listed below is the schedule of due dates indicating when items from the community colleges are due at the Illinois Community College Board Office:

January 1	-	construction project status reports (see Section 1501.60(a)).
January 31	-	certificate of tax levy (see Section 1501.510(e)).
February 15	-	spring semester enrollment survey (see Section 1501.406(a)).
May 30	-	occupational follow-up study data for specified curricula (FS) (see Section 1501.406(c)).
July 1	-	annual noncredit course enrollment survey
August 1	-	special-populations-grant-report (see Section 1501.503(f)).
	-	workforce preparation grant report (see Section 1501.503(f)).
	-	advanced technology equipment grant report (see Section 1501.510(a)).
	-	Resource Allocation and Management Plan (RAMP/CC) (see Section 1501.510(a)).
	-	program review report (see Section 1501.303(d)).
	-	program review listing (see Section 1501.303(d)).
	-	credit hour certification, final report (see Section 2-16 of the Public Community College Act).
	-	annual student enrollment and completion data (see Section 1501.406(a)).
September 1	-	application for recognition for specified colleges (see Section 1501.202(d)).
	-	underrepresented groups report special populations grant report (see Section 1501.406(d) and 1501.503(d)).
September 15	-	unit cost data (see Section 1501.510(b)).
	-	confirmation of ICCB grants and district credit hours by the external auditor (see Section 1501.503(b)).
October 1	-	budget tax-revenue survey (see Section 1501.501(c)).
	-	fall enrollment survey (see Section 1501.406(b)).
	-	fall enrollment data (see Section 1501.406(a)).

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- October 15 - ~~annual salary data for faculty and staff~~ **Section 1501.308(f)**
- external audit [see Section 1501.503(a)]
- special populations grant audit [see Section 1501.503(a)]
- workforce preparation grant audit [see Section 1501.503(a)]
- advanced technology equipment grant audit [see Section 1501.503(a)]
- fiscal year budget [see Section 1501.504]
- certificate of chargeback [see Section 1501.503(a)]
- unexpended special populations grant funds [see Section 1501.508(f)]
- unexpended workforce preparation grant funds [see Section 1501.509(h)]
- November 1 - audit/unit cost reconciliation statement [see Section 1501.510(d)]
- November 15 - faculty, staff, and salary data [see Section 1501.308(a)]
- December 1 - annual financial statements and notice of publication [see Section 1501.506]
- ~~December 15~~ - ~~facility and staff characteristics~~ **Section 1501.308(a)**

30 days after the end of each term - course resource data and credit hour claims [see Section 1501.606(b) and Section 1501.507(a)]

60 days after the end of the fall term - inventory of facilities [see Section 1501.606(c)]

(Source: Amended at 19 Ill. Reg. **7515**, effective **MAY 20 1995**)

SUBPART C: PROGRAMS

Section 1501.301 Definition of Terms

Associate Degree. An "Associate Degree" is an award for satisfactory completion of a curriculum of 60 semester credit hours or more.

Associate in Applied Science Degree. An "Associate in Applied Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to prepare individuals for employment in a specific field.

Associate in Arts Degree. An "Associate in Arts Degree" is an award for the satisfactory completion of a prescribed curriculum

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intended to transfer to baccalaureate degree programs in one of the arts, humanities, or social or behavioral sciences or one of the professional fields with these disciplines as a base.

Associate in Fine Arts Degree. An "Associate in Fine Arts Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the fine arts: art, music, or theater.

Associate in Engineering Science Degree. An "Associate in Engineering Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in engineering.

Associate in General Studies Degree. An "Associate in General Studies Degree" is an award for the satisfactory completion of a curriculum that has been individually designed by mutual agreement between the student and his/her college-appointed advisor to meet the student's educational intent.

Associate in Science Degree. An "Associate in Science Degree" is an award for the satisfactory completion of a prescribed curriculum intended to transfer to baccalaureate degree programs in one of the mathematical, biological, or physical sciences or one of the professional fields with these disciplines as a base.

Branch. A "branch" is an administrative unit of a college that has a continuing educational mission and serves as a secondary instructional site for the college.

Campus. A "campus" is an organized administrative unit of a college that has a continuing educational mission and serves as a primary instructional site for the college.

Certificate. A "certificate" is an award for satisfactory completion of a series of courses or curriculum of 50 semester credit hours or less.

General certificate. A "general certificate" is an award for satisfactory completion of a series of courses of 30 semester credit hours or less in adult basic education, adult secondary education, remedial education, vocational skills, or general studies.

Occupational certificate. An "occupational certificate" is an award for satisfactory completion of a prescribed curriculum intended to prepare an individual for employment in a specific field.

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College. A "college" is a ~~district's~~ district's administrative unit that is authorized by the Illinois Board of Higher Education to grant postsecondary-level degrees and certificates, is recognized by the ICCB, and provides a comprehensive program of instruction in accordance with Section 101-2(e) of the Act.

Course. A "course" is a sequential presentation, through one or more instructional modes, of subject matter in a particular field to meet specific objectives within a designated time period, such as a semester or a quarter.

Curriculum. A "curriculum" is an approved unit of instruction consisting of a series of courses designed to lead to an associate degree or a certificate.

~~General Studies. A "General Studies" curriculum consists of courses designed to meet individual student goals, in the promotion of personal improvement and self-understanding.~~

~~Remedial Education. A "Remedial Education" curriculum consists of courses in computation, communication (i.e., writing and speaking), and reading, designed to improve the competency of high school graduates, or those persons achieving high school equivalency through standardized testing, to the level necessary for placement into communications and mathematics courses required of first-year college students. Remedial courses reiterate basic skills that students were expected to have mastered prior to entry into post-secondary education.~~

Adult Basic Education. An "Adult Basic Education" curriculum consists of basic skills courses designed to bring students to a competency of eighth-grade equivalency, including English as a Second Language instruction to a level of eighth-grade equivalency.

Adult Secondary Education. An "Adult Secondary Education" curriculum consists of courses designed to bring students to a competency of twelfth-grade equivalency, including English as a Second Language courses through the twelfth-grade equivalency and General Educational Development (GED) examination preparation.

District Curriculum. A "district curriculum" is a curriculum approved for offering within a district, on the basis of student interest, employment demand, and available resources within the district.

General Studies. A "General Studies" curriculum consists of courses designed to meet individual student goals, in the

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promotion of personal improvement and self-understanding.

Regional Curriculum. A "regional curriculum" is a curriculum approved for offering within a particular ~~planning~~ region of the state, on the basis of student interest and employment demand within the region.

Remedial Education. A "Remedial Education" curriculum consists of courses in computation, communication (i.e., writing and speaking), and reading, designed to improve the competency of high school graduates, or those persons achieving high school equivalency through standardized testing, to the level necessary for placement into communication and mathematics courses required of first-year college students. Remedial courses reiterate basic skills that students were expected to have mastered prior to entry into post-secondary education.

Statewide Curriculum. A "statewide curriculum" is a curriculum approved for offering on the basis of student interest and employment demand statewide.

Educational Agency. An "educational agency" is an agency, corporation, or other defined legal entity which offers instruction.

Extension Center. An "extension center" is an instructional site for the college that is used for offering some of the college's courses and/or programs for a limited duration.

Internship/Practicum. An "internship/practicum" is a course of planned and supervised training which allows the application of theory to actual practice and prepares a student for working independently in a specific career. The internship/practicum generally occurs after the student has completed 12 credit hours. It takes place at a regular worksite and instruction/supervision is shared by a college instructor/supervisor and a qualified employee at the worksite. Clinical practicums take place in a hospital or other medical health facility and require close supervision/instruction/monitoring by a qualified college instructor.

Laboratory. A "laboratory" is a course of planned and supervised training in which students learn new methods or principles through experimentation, observation, and/or practice. A lab class can occur at the beginning, middle, or end of a particular course of study and may be a specially equipped room designed for experimentation, observation, and/or practice on the college campus or at the worksite.

Principal Site. The principal site is the official mailing address of the college.

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Public Service. "Public service" consists of noncredit classes and other activities of an educational nature, such as workshops, seminars, forums, exhibits, and the provision of college facilities and expertise to the community, designed to be of service to the public.

Research. "Research" consists of investigations or experiments to discover or interpret facts, to revise accepted theories, or to apply such revised theories.

Secondary School. A "secondary school" shall be used to mean private or parochial secondary school, public secondary school district, or public unit school district.

Unit of Instruction. A "unit of instruction" is any one of the following:

An organized program of study consisting of a sequence of courses that results in the award to a student of a certificate or an associate degree.

Any existing organized program of study offered at a new geographical location outside of the college district.

Any organized administrative entity that would have a continuing instructional mission, including but not limited to a college, campus, or branch.

Unit of Research or Public Service. A "unit of research or public service" is a college's subdivision such as a division, institute, or center, that administers one (or more) research or public service program.

Vocational Skills. "Vocational Skills" consists of courses designed to provide short-term job entry training, to upgrade the skills of persons already employed, or to review skills for career re-entry. Associate Degree: An Associate Degree is an award for satisfactory completion of a curriculum of 60 semester credit hours or more.

(Source: Amended at 19 Ill. Reg. 7515, effective MAY 26, 1995)

Section 1501.302 Units of Instruction, Research, and Public Service

- a) Approval of New Units of Instruction. Each proposed new unit of instruction shall be submitted to the ICCB for approval. The criteria for approval of new units of instruction, which also apply to existing

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programs offered by community colleges, are:

- 1) Mission and Objectives.

A) The objectives of the unit of instruction are consistent with the mission of the college as set forth in Section 1-2(e) of the Public Community College Act.

B) The objectives of the unit of instruction are consistent with what the title of the unit of instruction implies.

- 2) Academic Control.

A) The design, conduct, and evaluation of the unit of instruction are under the direct and continuous control of the college's established processes for academic planning and quality maintenance, and clear provision is made for ensuring a high level of academic performance of faculty and students.

B) The admission, course placement, and graduation requirements for the unit of instruction are consistent with the stated objectives of the unit of instruction and with Section 103-17 3-17 of the Act where applicable.

- 3) Curriculum. The content of the curriculum ensures that the objectives of the unit of instruction will be achieved.

A) The range of total number of credit hours required for completion of an associate degree curriculum shall be within the following parameters:

i) For the Associate in Arts degree and the Associate in Science degree, a total requirement of not less than 60 semester credit hours nor more than 64 semester credit hours or the quarter credit hour equivalent;

ii) For the Associate in Fine Arts and the Associate in Engineering Science degree, a total requirement of not less than 60 semester credit hours nor more than 68 semester credit hours or the quarter credit hour equivalent;

iii) For the Associate in Applied Science degree, a total requirement of not less than 60 credit hours nor more than 72 semester credit hours or the quarter credit hour equivalent, except in such occupational fields in which accreditation or licensure by a state or national organization requires additional coursework; and

iv) For the Associate in General Studies degree, a total requirement of not less than 60 semester credit hours nor more than 64 semester credit hours or the quarter credit hour equivalent.

B) Each associate degree curriculum shall include a specific general education component consisting of coursework in communication, arts and humanities, social and behavioral sciences, and mathematics and science within the following parameters:

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- i) For the Associate in Arts degree and the Associate in Science degree, the general education component required will represent at least 38 semester credit hours or the quarter hour equivalent for completion;
- ii) For the Associate in Fine Arts degree and the Associate in Engineering Science degree, the general education component required will represent at least 27 semester credit hours or the quarter hour equivalent for completion;
- iii) For the Associate in Applied Science degree, the general education component required will represent at least 15 semester credit hour or the quarter hour equivalent for completion; and
- iv) For the Associate in General Studies degree, the general education component required will represent no less than 20 semester credit hours or the quarter hour equivalent for completion.

4) Faculty and Staff.

- A) The academic preparation and experience of faculty and staff ensure that students receive education consistent with the objectives of the unit of instruction.
- B) The involvement of faculty in the unit of instruction is sufficient to cover the various fields of knowledge encompassed by the curriculum, to sustain scholarship appropriate to the unit of instruction, and to ensure curriculum continuity.
- C) Support personnel, including counselors, administrators, clinical supervisors, and technical staff, have the educational background and experience necessary to carry out their assigned responsibilities.

5) Support Services.

- A) Facilities, equipment, and instructional resources (e.g., laboratory supplies and equipment, instructional materials, computation equipment) necessary to provide quality instruction will be available and maintained.
- B) Library holdings and acquisitions necessary to support quality instruction and scholarship are available, accessible, and maintained.
- C) Provision is made for the guidance and counseling of students, the evaluation of student performance, the continuous monitoring of progress of students toward their degree or certificate objectives, the placement of completers of the unit of instruction, and appropriate academic record keeping.

6) Financing.

- A) The financial commitments to support the unit of instruction are sufficient to ensure that the stated objectives can be attained and that the faculty, staff, and support services

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necessary to offer the unit of instruction can be acquired and maintained.

- B) Projections of revenues necessary to support the unit of instruction are based upon supportable estimates of general revenue, student tuition and fees, private gifts, and/or governmental grants and contracts.

7) Public Information.

The information that the college provides to students and the public accurately describes: the unit of instruction offered; the objectives of the unit of instruction; length of the unit of instruction; residency requirements, if any; schedule of tuition, fees, and all other charges and expenses necessary for completion of the unit of instruction; cancellation and refund policies; and such other material facts concerning the college and the unit of instruction as are likely to affect the decision of the student to enroll.

8) Accreditation and Credentialing.

- A) Appropriate steps have been taken to ensure that accreditation of the proposed new unit of instruction will be granted in a reasonable period of time.

- B) The proposed new unit will provide the skills required to obtain individual credentialing (certification, licensure, registration) needed for entry into an occupation as specified in the objectives of the proposed new unit of instruction.

9) Program Needs and Priorities.

- A) The unit of instruction must be educationally and economically justified based on the educational priorities and needs of the citizens of Illinois and the college's district.

- B) The unit of instruction meets a need that is not currently met by units of instruction which are offered by other institutions in the district.

b) Approval of New Administrative Units of Research or Public Service.

An application for approval of each proposed new administrative unit of research or public service shall be submitted to the ICCB on forms provided by the ICCB. The criteria for approval of new administrative units of public service or research are:

- 1) The proposed new administrative unit shall be authorized by the Board of Trustees.
- 2) The objectives of the proposed new administrative unit are consistent with the mission of the college (see Section 1-2(e) of the Act).
- 3) The proposed new administrative unit shall meet a district's need to deliver a public service or research program which cannot be met through the district's current structure as indicated by an organizational chart.
- 4) The proposed new administrative unit shall administer at least

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- one public service or research program.
- 5) The needs assessment demonstrates that the demand for the public service or research program to be administered by the proposed new unit shall be continuous for at least three years.
- 6) The district shall provide evidence that the resources for the facilities, equipment and materials, and staff necessary to provide a quality program or service shall be made available to the proposed new administrative unit.
- c) Withdrawal. An approved unit of instruction, public service, or research may be withdrawn by the college when it decides to suspend operation of the unit. The withdrawal request shall be reported on forms supplied by the ICCB.
- d) Reasonable and Moderate Extensions.
- 1) An approved unit of instruction, public service, or research may be modified by the college within the parameters listed in subsection (d)(2) through (4). The college shall notify the ICCB of such extensions on forms provided by the ICCB.
- 2) Reasonable and moderate extensions of previously approved units of instruction include:
- A) The addition, modification, or withdrawal of courses within an approved unit of instruction which does not alter the objectives of the unit of instruction;
- B) A change in minimum credit hours for completion of an approved unit of instruction that does not affect the instructional level of the unit of instruction.
- C) A change in title of an approved unit of instruction that does not indicate a different objective of the unit than that previously approved.
- D) The creation of an option (major, concentration, or specialization) within an approved unit of instruction in which:
- i) the option created is within the same general academic discipline or occupational field as the previously approved unit of instruction,
 - ii) the option created within a previously approved associate degree curriculum shares a common core of ~~requires the same first-year sequence of~~ courses with as the previously approved unit of instruction, and
 - iii) the option created does not substitute more than ~~twelve~~ fifteen (15) semester credit hours of other courses for courses previously approved as part of an associate degree curriculum or cluster of closely related curricula, e.g., from the same four-digit CIP code or substitute more than ~~9x-t67~~ nine (9) semester credit hours of other courses for courses previously approved as part of a certificate curriculum (or closely related cluster) of one-year 30 semester credit hours or more.

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- E) The creation of certificate curricula from previously approved associate degree curricula and certificate curricula, including closely related curricula; e.g., from the same four-digit CIP code, providing no ~~new courses~~ more than six (6) semester credit hours are ~~added~~ substituted for certificates of up to thirty (30) semester credit hours or no more than ~~9x-t67~~ nine (9) credit hours are substituted in certificates of thirty (30) semester credit hours or more.
- 3) Reasonable and moderate extensions of previously approved units of research or public service include units with an annual operating expenditure from whatever source of less than \$250,000 or an annual operating expenditure from state appropriations of less than \$50,000.
- 4) Reasonable and moderate extensions of previously approved units of administration include any administrative reorganization of a college.
- e) Approval in a Multi-College District. Approval of new units of instruction, research, or public service in a multi-college district will be for a specific college. Transfer of a unit to, or duplication of a unit by, other colleges within the district constitutes a new unit requiring approval by the ICCB. However, up to nine (9) hours of a program approved at one college may be offered by any other college in the district at the option of the Board.
- f) When a college no longer offers an approved unit of instruction to additional new students, that unit of instruction shall be reported to the ICCB and shall be removed from the college catalog and other documents advertising the program offerings to the public.
- 1) An inactive unit of instruction shall be maintained on the ICCB Curriculum Inventory File with the date that it became inactive for a period of at least ten years. The effective date that a unit of instruction becomes inactive shall be determined by the college.
- 2) A unit of instruction that has been inactive for less than three years may be reactivated by the college once it has completed the following:
- A) Obtained approval to reactivate the program from its chief executive administrator.
 - B) Obtained approval to reactivate the program from agencies that license, certify, or accredit the program, if appropriate.
 - C) Submitted a notification to the ICCB.
- 3) A unit of instruction that has been inactive for three to ten years may be reactivated by the Executive Director of the ICCB if the college has completed the following:
- A) Obtained approval to reactivate the program from its chief executive administrator.
 - B) Obtained approval to reactivate the program from agencies

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that license, certify, or accredit the program, if appropriate.

C) Demonstrated through local surveys or state labor market data that the labor market demand and supply shows a need for graduates of the program.

D) Conducted a review of the program with representatives from business and industry including on-site visits and advice regarding current technologies and equipment.

E) Demonstrated, in accordance with subsections (a)(5) and (a)(6) of this Section and Section 1501.510, that the college has adequate facilities, equipment and financial resource to offer a quality program.

F) Demonstrated, in accordance with Section 1501.303(f), that the college has available qualified faculty to provide the instruction for the program.

G) Submitted a request for the reactivation to the ICCB.

4) A unit of instruction that has been inactive for over ten years may be reactivated by following the new unit approval process described in subsection (a) of this Section.

g) Discontinuation of Programs. The ICCB may discontinue programs which fail to reflect the education needs of the area being served as follows:

1) Programs that do not meet standards of need, quality, and cost effectiveness may be discontinued by the ICCB. This determination shall be made based on review and collective findings of information available to the ICCB through ICCB and IBHE program review, evaluation, and productivity processes; the ICCB Management Information System; and other sources of pertinent information on the following criteria:

A) Program need, including educational priorities of the district, accessibility, credit hours generated, enrollments, completions, and labor market supply and demand.

B) Program quality, including job placement or education continuation, program content, academic control, faculty qualifications, and accreditation and credentialing.

C) Program costs, including adequacy of financial support and unit costs.

2) The ICCB will utilize special state-level analyses to identify programs that appear to be of questionable need, cost, or quality based on state data. Programs identified through state-level analysis will be referred to the colleges to enable them to evaluate the programs in detail in their normal process and to obtain the results and comments from the local level.

3) The ICCB will notify college districts of programs being considered for discontinuation and shall grant the district 60 days to respond to concerns regarding the program in question prior to action by the Board. This information shall be taken

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into account in determining if a program should be discontinued by the ICCB.

4) Once a program is discontinued by the ICCB and the appeal process is concluded, the college must inactivate the program by not enrolling any additional new students and develop a plan for an orderly discontinuation of the program for students currently enrolled. Programs discontinued by the ICCB may be reestablished by obtaining approval as a new unit of instruction under subsection (a) of this Section.

(Source: Amended at 13 Ill. Reg. 7515¹, effective MAY 26 1995)

Section 1501.303 Program Requirements

a) Comprehensive Program. The programs of each college shall be comprehensive and shall include: pre-baccalaureate, occupational, and general studies curricula, and public service programs.

b) Degrees and Certificates. A college shall award associate degrees and certificates in accordance with units of instruction approved by the ICCB. This authority is not extended to administrative units of the college.

c) Honorary Degrees. Honorary degrees awarded by a Board shall be limited to the associate degree.

d) Review and Evaluation of Programs.

1) Each college shall have and implement a systematic, college-wide program review and evaluation process for evaluating both instructional programs and student and supporting services on a five-year cycle. If the college's special circumstances indicate a longer cycle would be beneficial, the college may request an exception by submitting an explanation of the special circumstances and the college's plan for program review based on a longer cycle to the ICCB. The ICCB will grant the exception when a longer evaluation cycle had been established previous to FY 1984 or if the college has more than ten (10) programs to evaluate. A written response to the request for exception shall be submitted to the college within thirty (30) days of receipt of the request.

2) The minimum review criteria for program review shall be program need, program cost, and program quality, as defined by each college.

3) Each college shall keep on file a copy of the process adopted and individual program review for ICCB Recognition purposes.

4) Each college shall submit to ICCB a list of programs to be reviewed in the following year and a summary report of the previous year's program review results by August 1 each year.

e) Academic Calendar. A college shall operate on an academic calendar which provides at least two academic terms consisting of at least 15

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weeks (at least 75 days of instruction each), three academic terms consisting of at least 10 weeks (at least 50 days of instruction each) or a different combination of academic terms consisting of at least 30 weeks (at least 150 days of instruction).

1) The days of instruction prescribed in subsection (e) above shall include all days when there is a full schedule of classes and support services but will exclude holidays, Saturdays, Sundays, and days scheduled exclusively for registration, orientation, college-wide placement or assessment testing, faculty workshops, and final examinations.

2) Colleges may include terms during the summer or any other time during the year, in addition to the ones identified in subsection (e).

3) Courses/classes may be scheduled between academic terms, spanning academic terms, for a shorter time frame than the academic term, or for a longer time frame than the academic term, if the schedule provides sufficient duration and contact hours to meet the requirements in Sections 1501.309(b) and 1501.507(b)(10).

4) If an emergency such as a fire, flood, or strike makes it necessary for the college to shorten one of its academic terms, the college may request the ICCB Executive Director to approve a shorter term. In such cases, the length of the term may be shortened, but only to the extent that enables all courses to meet the contact hours specified in Section 1501.309(b).

5) If a college entered into a contract with its faculty regarding the length of the academic calendar in compliance with subsection (e) prior to the effective date of this revision, it may continue to operate under the provisions of that contract until that contract is renegotiated or expires.

f) Preparation of Professional Staff. Professional staff shall be educated and prepared in accordance with generally accepted standards and practices for teaching, supervising, counseling and administering the curriculum or supporting system to which they are assigned. Such preparation may include collegiate study and professional experience. Graduate work through the master's degree in the assigned field or area of responsibility is expected, except in such areas in which the work experience and related training is the principal learning medium. Library. Each college shall maintain a library or learning resource center with a collection of reference works and other learning resources to meet the specific needs of its curricula and students. This collection shall be kept up to date through a planned program of acquisition and deletion.

g) Supplies and Equipment. Classrooms, laboratories, and shops shall be provided with equipment and supplies which are adequate for effective teaching and learning.

i) General Education. Organized curricula leading to an associate degree shall include general education courses designed to contribute to the liberal education of each student.

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j) Apprenticeships. A college which participates in apprenticeships coordinated by the Bureau of Apprenticeship Training, U. S. Department of Labor and/or other programs related to business, industrial, or trade groups or organizations shall meet applicable federal, state, and local governmental rules, regulations, and guidelines.

k) Examination of Patriotism, Principles of Representative Government, Proper Use and Display of the American Flag, and Method of Voting. The examination on American patriotism, principles of representative government, proper use and display of the American flag, and the Australian ballot voting system may be satisfied in one of the following ways:

- 1) The student may pass an appropriate examination at the college;
- 2) The student may complete, with a passing grade, a specified course that includes all subject matter identified above; or
- 3) The college may accept as evidence that the student has previously met the examination requirement a diploma earned from an Illinois high school or an in-higher-high-school-in-illinois-as-long-as-the-meeting-of-the-requirement-is-clearly-identified-on-the-high-school-transcript-or-the-illinois-High-School-High-school-Equivalency-Test-Program equivalency certificate for the successful completion of the Test of General Education Development (GED). Such evidence authorizes the college to make an appropriate similar notation on the student's transcript.

(Source: Amended at 19 Ill. Reg. 251.4, effective MAY 26 1995)

Section 1501.304 Statewide and Regional Planning

a) Program planning is based on an assessment of program needs within districts, planning regions, and the state as a whole. The following planning regions are established for the purpose of facilitating the planning of instructional and public service programs may comprise a community college district and one or more adjacent districts; e.g., some or all surrounding districts or the regional university/community college consortium.

Region-ii: Districts--504--(Grafton)--508--(Hickory)--510
(Horton)--512--(Haber)--515--(Prairie--State)--
524--(Moline--Valley)--527--(Morton)--535
(Benton)

Region-iii: Districts--502--(Burlington)--509--(Elgin)--516
(Hawbenson)--520--(Hankook)--525--(Joliet)--529
(McHenry)--532--(Lake-County)

Region-iiii: Districts--506--(Oak-Valley)--511--(Rock-Valley)--
519--(Highland)--523--(Shawnee)

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- Region-IV: Districts--503--(Black-Hawk)--513--(Illinois Valley)--514--(Illinois--Central)--519--(East Sandburg)--534--(Spoon-River)
- Region-V: Districts--526--(Lincoln-Band)--539--(John-Wood)
- Region-VI: Districts--505--(Parkland)--507--(Danville)--517--(Lake-Band)--537--(Richland)
- Region-VII: Districts--522--(Belleville)--536--(Bemis)--617--601--(State-Community-College)
- Region-VIII: Districts--501--(Kaskaskia)--521--(Rand-Baker)--529--(Illinois--Eastern)--530--(John-A.-Bogan)--531--(Shawnee)--533--(Southeastern)

b) Admission of Students to Regional Curricula. A college which offers approved regional curricula shall admit qualified students from throughout the Region on the same priority basis as in-district students.

c) Admission of Students to Statewide Curricula. A college which offers approved statewide curricula shall admit qualified students from throughout the state on the same priority basis as in-district students.

(Source: Amended at 19 Ill. Reg. 7515, effective MAY 26 1995)

Section 1501.308 Reporting Requirements

Each college shall submit the following specified items listed below in a format prescribed by the ICCB and according to the schedules indicated: at Annual salary data and Basic basic characteristics, including but not limited to sex, date of birth, ethnic classification, highest degree earned, tenure status, and employment or teaching areas, of the faculty and staff employed by the college as of October 1 shall be submitted on or before November December 15 of each year.

b) Annual salary data for its faculty and staff by October--15--of--each year

(Source: Amended at 19 Ill. Reg. 7515, effective MAY 26 1995)

Section 1501.309 Course Classification and Applicability

a) Course Classification. Information on courses for which credit is to be awarded shall be submitted to ICCB on forms provided by ICCB in order for the courses to be classified into appropriate instructional and funding categories and added to the college's Management Information System (MIS) Course Master File.

b) Course Credit Hour Determination.

- 1) Credit hours for courses for which ICCB credit hour grants are to be claimed shall be determined on the basis of an expected

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forty-five (45) hours of combined classroom/laboratory and study time for each semester hour or thirty (30) hours of such time for each quarter credit hour.

2) Courses with students participating in lecture/discussion oriented instruction will be assigned one semester credit hour or equivalent for each fifteen (15) classroom contact hours of instruction per semester or equivalent. It is assumed that two (2) hours of outside study will be invested for each classroom contact hour.

3) Courses in which students participate in laboratory/clinical-laboratory oriented instruction will be assigned one (1) semester credit hour or equivalent for each 30-45 classroom contact hours of instruction per semester or equivalent. It is assumed that one (1) hour of outside study will be invested for each two (2) laboratory contact hours.

4) Students who participate in nonclinical internship, practicum, or on-the-job supervised instruction shall receive one (1) semester credit hour or equivalent for each 75-149 contact hours per semester or equivalent and students who participate in clinical practicums shall receive one semester hour credit or equivalent for each 45 30-60 contact hours per semester or equivalent. It is assumed that one (1) hour of outside study time will be invested from each two (2) clinical practicum contact hours.

c) Course Syllabus. A syllabus shall be developed and maintained for each credit course and shall be available to the public and students upon request. A syllabus contains the description of the course, specific objectives of the course, a topical outline, and the method for evaluating student performance.

d) Course Applicability. All credit courses must be part of an approved unit of instruction pursuant to Section 1501.302, and the approved unit of instruction for each course shall be indicated on the college's ICCB MIS Course Master File.

1) Lower-Division Baccalaureate Courses. Courses designed to meet lower-division baccalaureate degree requirements shall be applicable to associate transfer degrees. For each baccalaureate course offered, the college shall maintain current written articulation agreements or transfer equivalency documents with:

- A) at least three (3) Illinois public universities, or
- B) at least three baccalaureate degree-granting institutions to which a majority (51%) of the college's students transfer, or
- C) one or more baccalaureate degree-granting institutions to which a majority (51%) of the college's students majoring in the field for which the course is required transfer.

2) Remedial Course Credit. No remedial course credit shall be applicable to associate degrees designed for transfer to institutions granting baccalaureate degrees.

3) Adult Basic Education Course Credit. No adult basic education

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course credit is applicable to degrees or to certificates, except the Adult Basic Education Certificate.

- 4) Adult Secondary Education Course Credit. No adult secondary or college preparatory education course credit is applicable to degrees or certificates, except the Adult Secondary Education Certificate.

- 5) General Studies Course Credit. General studies course credit is applicable only to the Personal Development; Homemaking; Improving Family Circumstances; Intellectual and Cultural Studies; Community and Civic Development; and Health, Safety and Environment Certificates.

e) Special Upper-Division Courses.

- 1) A college may offer any course that is offered by a university, regardless of numbering system, if the university normally permits its own students to take the course as lower-division students. Such courses will be eligible for ICB grants, if they meet all other criteria.

- 2) If at least three (3) public universities in Illinois agree, or if a public university which is the principal recipient of transfers from the community college agrees, certain special courses taught at the upper-division level may be offered by a college and be eligible for ICB grants, provided they meet all other criteria.

- f) Independent Study. Independent study course credit shall not exceed 25 % percent of the credit hour requirements for a student to earn an associate degree. The topic of an independent study course shall be listed on the student's permanent academic record.

- g) Internships. An internship experience for credit that is designed to provide the student an opportunity to put into practice the theories and techniques learned in the classroom/laboratory shall be applicable to an associate degree or certificate, provided at least twelve (12) semester credit hours or equivalent in the corresponding curriculum are completed by the student prior to, or are taken by the student concurrently with, such experience.

h) Courses Approved as Repeatable.

- 1) Courses in which the content varies from term to term or from student to student (e.g., independent study, special topics, and internship courses) or in which a student is expected to gain increased depth of knowledge and skill through repetition (e.g., music, speech, theatre, and journalism performance or production courses) shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The number of times the course may be taken for credit does not exceed four semesters (or six quarters);
- B) The method of determining the amount of credit to be awarded for each section of the course, for each term, or for each student is specified in the college's catalog, on the course syllabus, and on the course classification form, and the

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subject matter and number of credits for which the student enrolled is specified on the student's permanent academic record;

- C) The college's catalog, the course syllabus, and the course classification form requesting approval of repeatability by the ICCB indicate the number of such credits that will apply to degree or certificate completion for a single course or a combination of related courses; and
- D) The total number of credit hours for a single course or for a combination of related courses that are applicable to degree or certificate completion does not exceed the maximums established in subsection (e) governing independent study, subsection (b) governing credit hour determination, or Section ~~1501.507(b)(10)~~ 1501.507(b)(11) governing the maximum rate of credit hour production.

- 2) A vocational skill course that persons employed in an occupation or vocation must retake periodically by law in order to maintain employment shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The content of the course is determined by law and does not change from one year to the next, and
- B) A copy of the law (or regulation administering it) and a course syllabus accompany the course classification form requesting repeatability.

- 3) An adult basic, adult secondary, or a remedial education course that is organized into discrete modules and offered for variable credit shall, at the request of the college, be approved for repeatability under the following conditions:

- A) No discrete module is repeated more than ~~three~~ two times,
- B) The title of each module completed and the grade received is permanently recorded on the student's permanent academic record, and
- C) The content and number of credit hours for each discrete module is shown on the course syllabus and on the course classification form requesting approval of repeatability by the ICCB.

- 4) An adult basic, adult secondary or a remedial education course that is not organized into discrete modules shall, at the request of the college, be approved for repeatability under the following conditions:

- A) The number of times the course may be taken for credit does not exceed four times, i.e., repeatable three times.
- B) The variety of skill levels included in the course and the methods used to accommodate individual differences based on an assessment of student skills is specified in the course syllabus.
- C) The course title and the grade received is permanently recorded on the student's academic record each time that the

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course is taken.

(Source: Amended at 19 Ill. Reg. **7515**, effective
MAY 26 1995)

Section 1501.508 Special Populations Grants

- a) Special populations grant funds shall be allocated annually to each Illinois public community college district in accordance with Section 2-16 2-16.02 of the Act.
- b) Special populations grant funds shall be accounted for in a restricted purposes fund.
- c) The following are allowable expenditures for special populations grant funds:
 - 1) Personnel. Salaries and benefits for courses and services provided only to special populations students.
 - A) Tutors, both student and professional.
 - B) Counselors and paraprofessional counselors who spend a minimum of fifty (50) percent of their time working with special populations students.
 - C) Adult basic/secondary and remedial education instructors, not to exceed thirty (30) percent of the total special populations grant per district.
 - D) Direct support service personnel for assistance to students with disabilities, e.g., readers, notetakers, and drivers.
 - E) Professional and paraprofessional staff who provide outreach services and special retention programs designed for special populations students.
- 2) Testing and Assessment Materials. Testing and assessment materials used to identify special populations students.
- 3) Instructional Materials. Books, media packages such as computer software, and testing and evaluation materials provided only to special populations students.
- 4) Instructional Equipment. Lease or purchase of, e.g., tape recorders, small computers, and readers provided only to special populations students.
- 5) Travel related only to special populations student activities for both college personnel and students.
 - A) Special populations student activities such as field trips and student transportation.
 - B) Conference expenses related directly to special populations grant activities.
- 6) Staff development expenditures for special populations grant personnel and outside consultants.
- 7) The following special populations grant administrative expenditures related only to special populations grants. The total administrative expenditures may not exceed thirty (30) percent of the total special populations grant per district.

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- A) Administrative salaries.
- B) Office staff salaries.
- C) Office equipment.
- D) Utilities.
- E) Rental of facilities.
- d) Reports of services--~~courses~~--and--~~expenditures~~ supported by the special populations grant shall be filed with the ICCB by September 1 of each year of forms provided by the ICCB.
- e) An initial grant in the amount designated in Section 2-16 2-16.02 of the Act shall be allocated for expenditure by each community college within a multi-campus district. Remaining funds within a multi-college district may be allocated according to district policies.
- f) Special populations grant funds shall be expended or obligated prior to June 30 each year. Goods for which the funds have been obligated shall be received and paid for prior to September 30 following the end of the fiscal year for which the funds were appropriated. Funds for services, including salaries and benefits, may not be obligated for services rendered after June 30. Unexpended funds totaling \$100 or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.
- g) Special populations grant funds not used in accordance with this Section regardless of the amount shall be returned to the ICCB within six months after receipt of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Amended at 15 Ill. Reg. 10929, effective July 11, 1991)

Section 1501.510 Reporting Requirements

Each college shall submit the items listed below in a format prescribed by the ICCB and according to the schedules indicated.

- a) Resource allocation and management plan (RAMP) data by August 1 of each year.
- b) Unit cost data for the previous fiscal year by September 15 following the end of that fiscal year.
- c) A survey of local budget and tax extensions and collections by October 1 of each year.
- d) An Audit/Unit Cost Reconciliation Statement by November 1 of each year.
- e) Certificate of Tax Levy by January 31 of each year.

(Source: Amended at 19 Ill. Reg. **7515**, effective
MAY 26 1995)

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- 1) Heading of the Part: Consignment of Licenses, Stamps and Permits
- 2) Code Citation: 17 Ill. Adm. Code 2520
- 3) Section Numbers:

<u>Adopted Action:</u>
2520.10 Amendments
2520.20 Amendments
2520.30 Amendments
2520.40 Amendments
2520.50 Amendments
- 4) Statutory Authority: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code [520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39] and Sections 1-125, 20-5, 20-10, 20-30, 70-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120].

- 5) Effective Date of Rulemaking: May 26, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: May 26, 1995
- 9) Notice of Proposal Published in Illinois Register: March 17, 1995, 19 Ill. Reg. 3131

- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
In the Main Source Note, the comma following "April 16, 1984" was changed to a semi-colon.
In Section 2520.10(a), "and" after "licenses" was stricken.
In Section 2520.50(b), "~~or~~" after "Harvester" was changed to "or."
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this part? No
- 15) Summary and Purpose of Rulemaking: This Part was amended to add language

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allowing agents to sell deer archery combination permits; add irrevocable letter of credit as evidence of financial responsibility; change the dollar values used on the remittance schedules; and add a list of Department offices where individuals should send applications for replacement of lost licenses.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Conservation
524 S. Second Street, Room 430
Springfield, IL 62701-1787
(217) 782-1809

The full text of the Adopted Amendments beings on the next page:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER f: ADMINISTRATIVE SERVICES

PART 2520

CONSIGNMENT OF LICENSES-~~and~~, STAMPS AND PERMITS

Section

2520.10 Consignment Requirements

2520.20 Issuing Licenses-~~and~~, Stamps and Permits

2520.30 Terms

2520.40 Credit to Vendor Accounts

2520.50 Issuance of Replacement Hunting, Fishing and Trapping Licenses --~~and~~,
Stamps and Permits

AUTHORITY: Implementing and authorized by Sections 1.4, 3.1, 3.2, 3.37, 3.38 and 3.39 of the Wildlife Code (520 ILCS 5/1.4, 3.1, 3.2, 3.37, 3.38 and 3.39) and Sections 1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120 of the Fish and Aquatic Life Code [515 ILCS 5/1-125, 20-5, 20-10, 20-30, 20-45, 20-55 and 20-120].

SOURCE: Adopted and codified at 7 Ill. Reg. 8760, effective July 15, 1983; amended at 8 Ill. Reg. 5660, effective April 16, 1984; amended at 9 Ill. Reg. 14626, effective September 17, 1985; amended at 11 Ill. Reg. 4633, effective March 10, 1987; amended at 15 Ill. Reg. 7653, effective May 7, 1991; amended at 16 Ill. Reg. 8479, effective May 26, 1992; amended at 18 Ill. Reg. 9991, effective June 21, 1994; amended at 19 Ill. Reg. 7541, effective MAY 26 1995.

Section 2520.10 Consignment Requirements

- a) The Department of Conservation (DOC) has the authority to designate agents to sell licenses, stamps and permits on behalf of the Department. DOC consigns hunting, fishing, trapping and Ginseng Harvester licenses, ~~and~~ migratory waterfowl, salmon and wildlife conservation stamps, and deer archery combination permits, hereinafter referred to as licenses-~~and~~, stamps and permits, for sale by county, city, village, township and incorporated town clerks, upon receipt of their completed application and elected official license vendor contract, and fulfillment of requirements set forth in this Part. The Department also consigns the licenses-~~and~~, stamps and permits to other persons, hereinafter referred to as "direct agents", upon receipt of their completed application, license vendor contract, evidence of financial responsibility, and fulfillment of the requirements set forth in this Part. The term "direct agent" means all persons authorized by the Department to sell licenses-~~and~~, stamps and permits other than elected or appointed officials and department employees. License vendors, including employees of the Department selling

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licenses--~~and~~, stamps and permits, shall collect an issuing fee in addition to the license-~~and~~, stamp and permit fee as provided in ~~the~~ ~~Rev--stat--1991, ch--567, par--20-120~~ [515 ILCS 5/20-120] and ~~ch--617, par--3-37~~ [520 ILCS 5/3.37] as follows: 75 cents for each Sportsmen's Combination license and non-resident hunting license, and 50 cents for all other licenses-~~and~~, stamps and permits authorized by the above statutes. All licenses--~~and~~, stamps and permits consigned and fees collected from the sale of licenses-~~and~~, stamps and permits (except the authorized issuing fee) remain the property of the State of Illinois. Funds received from the sale of licenses, ~~and~~ stamps and permits (except the authorized issuing fee) shall not be directed to any purpose other than remittance to the Department.

- b) County, city, village, township and incorporated town clerks may appoint sub-agents within the territorial area for which they are elected or appointed. Elected or appointed officials and Department employees selling licenses-~~and~~, stamps and permits are liable to the State for all licenses-~~and~~, stamps and permits consigned to their account, including any licenses-~~and~~, stamps and permits furnished by a clerk to any sub-agent. Any clerk appointing sub-agents must notify the Department, within 10 days following the appointment, the names and mailing addresses of such sub-agents. No part of the issuing fees collected may be retained as personal compensation by the clerk. Issuing fees may be divided between the clerk and appointed sub-agents other than employees of the Clerk's office, but in no case may any clerk and/or sub-agent charge an issuing fee or fees totaling more than the amounts set out in Section 2520.10 of the Part. DOC assumes no liability for any license, stamp or permit furnished by any elected or appointed clerk to any sub-agent.

- c) All direct agents, including concessionaires holding contracts with the Department shall be required to furnish DOC with evidence of financial responsibility. Such evidence shall be in the form of a surety bond, irrevocable letter of credit or certificate of deposit, in an amount equal to the value of licenses-~~and~~, stamps and permits consigned. Surety bonds and letters of credit shall be on a form furnished by and approved by DOC, with surety or sureties satisfactory to DOC, conditioned upon such agents paying to the State of Illinois all monies becoming due by reason of the sale of licenses~~and~~, stamps and permits. No direct agent may appoint sub agents.

(Source: Amended at 19 Ill. Reg. 7541, effective MAY 26 1995)

Section 2520.20 Issuing Licenses-~~and~~, Stamps and Permits

- a) License, stamp and permit forms shall be filled out completely, accurately and legibly at the time of issuance, and the full amount shall be collected as shown on the license face. In the case of stamps, the license fee plus the authorized issuing fee shall be

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collected, if the issuing fee is not shown on the face of the stamp. Vendors shall not back-date or issue an undated license.

- b) The application portion of each license shall be retained by the issuing clerk or agent until the license issued expires, except in the case of Trapping licenses, Waterfowl stamps, Habitat stamps-and Ginseng Harvester licenses and deer archery combination permits, for which the completed application must accompany the remittance.

(Source: Amended at 19 Ill. Reg. 75411, effective MAY 26 1995)

Section 2520.30 Terms

- a) When funds received in payment for licenses-and, stamps and permits are deposited in an interest bearing account and where fees collected by a vendor are determined to be late to the department according to the remittance schedule in Section 2520.30(c), interest that has accrued through an interest bearing license account on the overdue funds will be remitted to the Department by separate check along with fees collected from the sale of such licenses-and, stamps and permits.
- b) All license vendors shall be required to remit to the Department, according to the schedule in subsection (c) below, all funds received from the sale of licenses-and, stamps and permits during the preceding remittance period except the authorized issuing fee. Vendors having licenses-and, stamps and permits on hand for sale, but who have sold none during the remittance period, shall report this fact to the Department according to the remittance schedule by the use of a "no sales" report, furnished by the Department.

- c) The remittance schedules are as follows:
- 1) Schedule I: For vendors having sold licenses-and, stamps and permits with a value of ~~\$16,000~~ \$16,000 or more during a prior license year, remittance periods shall be from the 1st through the 15th of each month and the 16th through the last day of each month. Remittance shall be made to the Department no later than the 5th and 20th of each month, for all licenses-and, stamps and permits sold during the previous remittance period.
- 2) Schedule II: For vendors having sold licenses-and, stamps and permits of a value of ~~\$9,999.99~~ \$5,299.99 or less during the previous license year, the remittance period shall be each month. Remittance shall be made to the Department no later than the 10th of each month for all licenses-and, stamps and permits sold during the previous month.

- d) Accounts more than one remittance period past due shall have additional license consignments withheld until the account is current. Accounts two remittance periods or more past due will cause the Department to cancel or withdraw the issuance of licenses through such clerks or agents. In the case of secured agents, payment will be demanded from the security company. No installment payment agreements

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- e) will be accepted by DOC except pursuant to judgment decrees. Within 30 days after the expiration of the time in which any class of license or, stamp or permit is usable, the final payment for licenses-and, stamps and permits sold shall be made in full to the Department, and all unsold or void licenses, stamps and permits shall be returned to the Department. Accounts not closed out within the 30 days specified shall be suspended or terminated, and referred to the agent's--bonding security company or for action or referral to other agencies for assistance.

(Source: Amended at 19 Ill. Reg. 75411, effective MAY 26 1995)

Section 2520.40 Credit to Vendor Accounts

- a) Void or unsold licenses-and, stamps and permits shall be returned to the Department for credit to the vendor account. Credit for void or unsold licenses-and, stamps and permits will be allowed only when the original license, stamp or permit is returned. The application portion of the license, stamp or permit will not be accepted for credit.
- b) Credit to vendor accounts for void licenses-and, stamps and permits shall be denied if the license-or, stamp or permit shows signs of use, such as encasement in plastic or other signs of use. The license and permit supervisor is responsible for this determination, and if credit is denied, the Supervisor, License Section, shall cause the vendor to be notified of this action.

- c) No person selling licenses-and, stamps and permits is required to remit for any licenses-or, stamps or permits stolen by forcible entry or destroyed by a fire in the premises where such licenses-and, stamps and permits are kept, if he submits an affidavit to the Department describing the circumstances of such theft or cause of such destruction and listing the type and numbers of licenses, stamps and permits so destroyed. An official report of the responding to the call or police if a robbery) must also be submitted.

(Source: Amended at 19 Ill. Reg. 75411, effective MAY 26 1995)

Section 2520.50 Issuance of Replacement Hunting, Fishing and Trapping Licenses and, Stamps and Permits

- a) The Department will issue replacements for lost hunting, fishing, Sportsman's Combination, Ginseng harvester, commercial licenses and permits, trapping licenses-and, Illinois stamps and deer archery combination permits. A fee of \$3.00 per license-or, stamp or permit will be charged to defray the cost of handling.
- b) The Department will issue replacements at no cost when the Department

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1) Heading of the Part: Designation of Restricted Waters in the State of Illinois

2) Code Citation: 17 Ill. Adm. Code 2030

3) Section Numbers: Adopted Action:

2030.10	New Section
2030.15	Amendments
2030.20	Amendments
2030.30	Amendments
2030.40	Amendments
2030.50	Amendments
2030.60	Repealed
2030.70	New Section

4) Statutory Authority: Implementing and authorized by Sections 5-7 and 5-12 of the Boat Registration and Safety Act [825 ILCS 45/5-7 and 5-12].

5) Effective Date of Rulemaking: May 26, 1995

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) Date filed in Agency's Principal Office: May 26, 1995

9) Notice of Proposal Published in Illinois Register: March 24, 1995, 19 Ill. Reg. 3745

10) Has JCPR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version:

In the Main Source Note, following emergency action effective November 28, 1988, the following was added: "corrected at 13 Ill. Reg. 967;."

The Source Note for Section 2030.10 was changed as follows: "(Source: Former Section 2030.10 repealed at 9 Ill. Reg. 4789, effective April 2, 1985; new Section added at 19 Ill. Reg. _____, effective _____)."

In Section 2030.30(c), a period was added following "bridge."

In Section 2030.50(b), the text was indented to the next level of indentation.

In Section 2030.50(f)(1) and (2) and (h)(1) and (2), the spelling of

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"buoy" was corrected.

In Section 2030.50(h)(3), the spelling of "buoyed" was corrected.

In Section 2030.50(j), the text was indented to the next level of indentation and a period was added at the end of the sentence.

In Section 2030.60, "Repealed" was underlined.

12) Have all the changes agreed upon by the agency and JCPR been made as indicated in the agreement letter issued by JCPR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Amendments include adding language concerning the Uniform State Waterway Marking System, establishing minimum requirements for markers, establishing a process for designation, outlining designated areas and adding language regarding Riverboat Gambling Casinos.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Conservation
524 S. Second Street, Room 430
Springfield, IL 62701-1787
(217) 782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER e: LAW ENFORCEMENT

PART 2030
DESIGNATION OF RESTRICTED WATERS IN THE STATE OF ILLINOIS

Section	General Regulations
2030.10	General Regulations (Repealed)
2030.10	Designation of Restricted Waters by the Department of Conservation
2030.15	Region I - Designated Restricted Boating Areas
2030.20	Region II - Designated Restricted Boating Areas
2030.30	Region III - Designated Restricted Boating Areas
2030.40	Region IV - Designated Restricted Boating Areas
2030.50	Region V - Designated Restricted Boating Areas (Repealed)
2030.60	Riverboat Gambling Casinos - Designated Restricted Boating Areas
2030.70	

AUTHORITY: Implementing and authorized by Sections 5-7 and 5-12 of the Boat Registration and Safety Act [625 ILCS 45/5-7 and 5-12].

SOURCE: Adopted at 5 Ill. Reg. 8763, effective August 25, 1981; codified at 5 Ill. Reg. 10617; amended at 9 Ill. Reg. 4789, effective April 2, 1985; amended at 11 Ill. Reg. 9519, effective May 5, 1987; emergency amendments at 12 Ill. Reg. 8745, effective May 15, 1988, for a maximum of 150 days; emergency expired September 20, 1988; emergency amendments at 12 Ill. Reg. 12111, effective July 6, 1988, for a maximum of 150 days; emergency expired December 12, 1988; amended at 12 Ill. Reg. 16707, effective September 30, 1988; amended at 12 Ill. Reg. 20472, effective November 28, 1988; corrected at 13 Ill. Reg. 967; emergency amendments at 13 Ill. Reg. 2878, effective February 21, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 12814, effective July 21, 1989; amended at 16 Ill. Reg. 8483, effective May 26, 1992; amended at 19 Ill. Reg.

7549, effective MAY 26 1995.

Section 2030.10 General Regulations

- a) All waters designated as Restricted Boating Areas shall be posted in accordance with the United States Coast Guard's Uniform Waterway Marking System, contained in 33 CFR 66, Subpart 66.10, except as provided in subsections (b) and (c).
- b) The use of regulatory markers prescribed by the Uniform State Waterway Marking System shall be further restricted as follows:
 - 1) Where a sign is used as a marker, the sign shall be of square or rectangular shape. The sign shall be white, with an international orange border and an international orange geometric shape centered on the signboard.
 - 2) The minimum size of any sign used as a marker shall be 24 inches on each side.

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- 3) The minimum size of any buoy used as a marker shall be 9 inches in diameter.
- 4) The minimum size of any alpha or numeric characters used on any sign or buoy shall be 1 inch of height for every 50 feet of intended visibility, provided that in no case shall the height of the characters be less than 3 inches.
- 5) The minimum height of any geometric shape used on any sign or buoy shall be 12 inches.
- 6) The minimum band width of any border or geometric shape used on a sign or buoy shall be 2 inches.
- c) No existing Restricted Boating Areas designated prior to July 1, 1995 shall be required to comply with the provisions of subsection (a) until July 1, 1998.

(Source: Former Section 2030.10 repealed at 16 Ill. Reg. 8483, effective May 26, 1992; new Section added at 19 Ill. Reg. 7549, effective MAY 26 1995.)

Section 2030.15 Designation of Restricted Waters by the Department of Conservation

a) Areas will be considered for designation, modification or elimination as restricted when the request for establishing a restricted area is made from outside the Department. Requests from outside the Department must meet the following criteria:

- 1) Be accompanied by a minimum of 25 signatures of interested persons over the age of 18 who would be directly affected by the restrictions.
- 2) Contain a detailed description of the area proposed for restriction with appropriate maps and other supporting data.
- b) All requests for the restricting of areas shall meet the following criteria:
 - 1) Evidence indicates that a boating safety hazard presently exists: or
 - 2) Evidence indicates a public safety concern exists relative to other water uses (e.g. swimming, skiing, etc.); or
 - 3) Evidence indicates that a boating user conflict exists.
 - c) Consideration for protection of private property shall not be considered as appropriate criteria for restriction.
 - d) Procedures for processing requests for restriction:
 - 1) All requests will be forwarded to the Department of Conservation, Office of Law Enforcement Division.
 - 2) The Department of Conservation Office of Law Enforcement Division will investigate and validity of the request in accordance with subsection (b) Section 2030.15(b) and forward a report and recommendation to the Director for action by the Department.

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(Source: Amended 19 Ill. Reg. **7549**, effective
MAY 26 1995)

Section 2030.20 Region I - Designated Restricted Boating Areas.

- a) The following portions of the Rock River are designated as Slow, No Wake areas:
- 1) An area of the Rock River located at Moonlite Bay, 4 miles east of Sterling and 6 miles west of Dixon, Illinois.
 - 2) The portion of the Rock River 1/4 mile above the dam at Oregon, Illinois, at the docking area at Lowden Memorial Park.
 - 3) An area of the Rock River located at Joe's Marina, N---Second Street, Rockford, Illinois.
 - 4) An area of the Rock River located at Martin Park, Loves Park, Illinois.
 - 5) An area at the Rock River Boat Club, Genoa, Illinois.
- b) The following portions of the Fox River are designated as Slow, No Wake areas:
- The portion of the Fox River between the Main Street bridge of the City of Ottawa and the mouth of the Fox River at the confluence of the Illinois River.
- c) The following portions of the Illinois River are designated as Slow, No Wake areas:
- 1) The portion of the Illinois River from the Burlington Northern R.R. bridge in the City of Ottawa to the upstream side of the mouth of the Fox River.
 - 2) The area of the Illinois River near the Spring Bay boat harbor at Spring Bay, Illinois.
 - 3) An area of the Illinois River at the Woodford County Conservation area, 7 miles north of Spring Bay off Route 87.
 - 4) An area of the Illinois River located at the Detweiler Marina, Peoria, Illinois.
 - 5) An area of the Illinois River at Alfrisco Harbor, Peoria Heights, Illinois.
 - 6) An area located at the Sobowski Marina, Peoria Heights, Illinois.
 - 7) An area located at the Illinois Valley Yacht Club, Peoria Heights, Illinois.
 - 8) An area at Henry, Illinois, on the west side of the River from Browns Landing to 300 yards north of the bridge.
 - 9) The Lacon Boat Club Dock, Lacon, Illinois.
 - 10) The boat harbor at Lacon, Illinois.
 - 11) An area at the town of Hennepin and Spring Valley, Illinois.
 - 12) The Laconing area at Starved Rock State Park.
 - 13) The harbor of Starved Rock Marina, Ottawa, Illinois.
 - 14) An area at the Starved Rock Yacht Club at Ottawa, Illinois.
 - 15) The waters of the Illinois River beginning in front of the Pekin Boat Club launching ramp.

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- d) The following portions of the Mississippi River are designated as Slow, No Wake areas:
- 1) An area bordering the Savanna Park waterfront, extending from a jetty south of the Ritchie Boat Dock, north to a jetty north of the Kindell Marina.
 - 2) An area in the vicinity of the boat dock and launching ramp at Bend-Thunder Forest Preserve located 3 miles west of Andalusia.
 - 3) An area in Vaeley Chute which runs through the Andalusia Islands located 4 miles west of Andalusia.
 - 4) An area at the launching ramp and harbor of the Rock Island Boat Club located at the foot of 18th Avenue in Rock Island.
 - 5) An area at the harbor and boat ramp in front of the Legion Hall at Cordova, Illinois.
 - 6) An area located at the boat ramps, City of Moline, between 26th Street and 34th Street and River Drive.
 - 7) An area near the launching ramps and bathing beach at Keithsburg, Illinois.
 - 8) An area in the chute connecting Sturgeon Bay and the Mississippi River at New Boston, Illinois.
 - 9) An area near the boat ramp and floating gas station at the end of Route 17 at New Boston.
 - 10) An area at Shokohon, Illinois.
 - 11) An area in the fish preserve lock and dam 19 at Hamilton, Illinois.
 - 12) The public launching area 3 miles north above the dam at Hamilton.
 - 13) An area 6 1/2 miles north of Hamilton, Illinois.
 - 14) The waters of Harris Slough Mississippi River backwaters at the Galena Boat Club, 3 miles south of Galena, Illinois.
 - 15) The waters encompassing the cut starting at the mouth of the cut on Deadman's Slough, then northward approximately 250 feet to the confluence of the Harris and Keokough Sloughs.
 - 16) The backwater section of the Mississippi River (River mile marker 479.8) that starts at the Harbor opening of Potter's Lake, Sunset Park, Rock Island and covers the entire lake area.
 - 17) The area of Cattail Slough off the Mississippi River, located south of Fulton, Whiteside County, 7/10 mile in length, 150 yards wide, starting on the north at the Chicago and Northwestern R.R. bridge and extending south 7/10 of a mile to the first narrows.
 - 18) The waters of the south entrance to Chandler Slough lying upstream from the north boundary of the U.S. Fish and Wildlife Service property up to and including the Bent Prop Marina harbor area.
 - 19) The waters of Prentess Lake lying upstream from the boat ramp at Charles Boat Dock, including the adjacent sand pit harbor area.
 - 20) An area of the Mississippi River in the vicinity of the Lazy River Marina at Savanna, Illinois, extending from the upper limit

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of the dredge cut at Miller's Lake to a point north of the Miller's Hollow public launching ramp.

21) An area located at the Albany-Mariner-Albany-Township--Whiteside County.

22) An area located at the Eitzen--Sandbar--in--Pulsen-Township--Whiteside County.

e) The following waters of Region I shall be designated as restricted waters as described below:

1) NO BOATS

A) The swimming area at Martin Park, Loves Park, Illinois.

B) The swimming area at Albany Beach located in Albany Township.

C) The swimming area at the Santa Fe Island bar, approximately 4 miles north of Savanna.

D) The head of Big Island and 1 1/2 miles north of Oquawka, Illinois.

E) The Boy Scout Camp located on Lake Cooper, Mississippi River.

F) The swimming area located at Mississippi River-Mile Marker 580--at the East-Bubuque-Sand-Bar--East-Bubuque--Illinois.

G) The waters of the four chutes of Argyle Lake, approximately 2 miles north of Colchester, Illinois.

H) The water 600 feet above and 150 feet below dams 12, 13, 14, 15, 16, 17 and 18 on the Mississippi River.

2) NO SKI - It shall be unlawful to water ski in the following designated waters:

That area of the inside cut of the Mississippi River, opening directly into Frontrees Lake, includes the area from the north to the south entrances from the river slough, inclusive, east of Mile Post 576.

(Source: Amended at 19 Ill. Reg. 7549, effective MAY 26 1995)

Section 2030.30 Region II - Designated Restricted Boating Areas

a) The following portions of the Calumet and Little Calumet Rivers waters located in Region II shall be designated as Slow, No Wake areas:

1) On the waters of the Little Calumet River in an area around the Forest Preserve Launching Ramp at 31st Street and Ashland-Avenue Blue Island, Illinois, extending 150 feet from the launching ramp. An area from the O'Brien Locks to the Michigan Central Railroad Bridge (approximately mile 326.5 to 325.3).

2) An area around the Bay-Hill-Mariner-Wilmington--Illinois (approximately mile 273.7) extending 150 feet out into the river and 300 feet both upstream and downstream from the center of the Mariner. An area around the Pier 11 Marina and the Lake Calumet Boat and Gun Club (approximately mile 323.2 to 323.1).

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3) On the Des-Plaines River in an area around the Three-Rivers-Yacht-Club-Wilmington-Illinois (approximately mile 273.7) extending 150 feet from the harbor entrance. An area around the Maryland Manor Boat Club, Skipper's Marina, and Rentner Marina (approximately mile 323.0 to 322.5).

4) On the Kankakee River in an area around the launching ramp at Des-Plaines-Conservation-Area, extending 150 feet from the launching ramp. An area around Triplex Marina (approximately mile 319.9 to 319.8).

5) On the Illinois River in an area around the launching ramp at Wm-G-Statton-Area (approximately mile 263.5) extending 150 feet from the launching ramp.

b) It shall be unlawful to operate any watercraft with a motor larger than ten (10) horsepower on the waters of Grissold-Lake-in-McHenry County. The following portions of the Des-Plaines River are designated as Slow, No Wake areas:

1) An area around the Bay Hill Marina, Wilmington, Illinois (approximately mile 273.7), extending 150 feet out into the river and 300 feet both upstream and downstream from the center of the Marina.

2) An area around the Three Rivers Yacht Club, Wilmington, Illinois (approximately mile 273.7), extending 150 feet from the harbor entrance.

c) The following portion of the Fox River is designated as a Slow, No Wake area:

An area within 150 feet upstream and downstream of the I-90 bridge.

d) The following portions of Lake Michigan are designated as No Boat areas:

1) An area at North Point Marina, located off the northern breakwater, running 200 yards parallel to the shoreline and 100 yards out into the lake.

2) An area at Illinois Beach State Park, located between the park office and the #3 bathhouse, running parallel to the shoreline and 70 yards out into the lake.

(Source: Amended at 19 Ill. Reg. 7549, effective MAY 26 1995)

Section 2030.40 Region III - Designated Restricted Boating Areas

The following areas are designated as Slow, No Wake areas:

a) These portions posted areas of Lake Decatur listed below, Decatur, Illinois.

Big Creek Area

Peas Bridge Area

Sand Creek Area

Vesta Landing Area

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- b) Posted areas of East and West Lakes, north of Paris, Illinois.
 c) Posted areas of Lake Vermilion, Danville, Illinois.
 d) Posted areas of Waterworks Lake, Little Vermilion River, Georgetown, Illinois.
 e) Posted areas of Lake Shelbyville.
 f) Posted areas of Lake Mattoon in Cumberland, Coles and Shelby Counties.
 g) Posted areas of Charleston Side Channel Lake, Charleston, Illinois.
 h) Posted areas of Mill Creek Lake, Clark County Park District, Clarksville, Illinois.
 i) Posted areas of Clinton Lake, Clinton, Illinois.

(Source: Amended at 19 Ill. Reg. 7549, effective MAY 26 1995)

Section 2030.50 Region IV - Designated Restricted Boating Areas

- a) The following portions of the Illinois River are designated as Slow, No Wake areas:
 1) ~~in-the-area-designated-on-the-west-side-of-Diamond-Island-in-the waters-known-as-Bark-Chute~~
 2) ~~the-designated-portion-of-the-river-in-the-vicinity-of-the Boat-in-at-Napier-Illinois~~
 3) ~~The designated area in the vicinity of the boat launching ramp at Havana, Illinois.~~
 4) ~~The mouth of Patterson Bay.~~
 5) ~~The waters of Bath Chute at head of Island, at the foot of Island, above the town of Bath, Illinois, and below the town of Bath, Illinois.~~

6) ~~Designated areas of Pulman Lake in Calhoun County.~~

- 7) ~~Designated areas of Silver Lake in Calhoun County.~~
 b) The following portion of the Mississippi River is designated as No Boats:

The water 600 feet above and 150 feet below dams 19, 20, 21 and 22 on the Mississippi River.

- c) The following portions of Quincy Bay in Adams County are designated as Slow, No Wake Areas:
 1) Designated area at the entrance to Broad Lake.
 2) Designated area at the "River Channel Cut-Through."
 3) Quincy Bay Harbor area from the Railroad Bridge south to the southern tip of Quinsippi Island.

- d) Piasa Creek in Jersey County from its mouth at the Mississippi River upstream to Illinois Route 100 bridge.
 e) Otter Creek in Jersey County from its mouth at the Mississippi Illinois River upstream to Illinois Route 100 bridge.

- f) The following portions of Sangchris Lake in Christian County---the ~~buoyed-area-of-the-coves-containing-the-east-and-west-boat-launches~~ are designated as No Boat areas:
 1) The power plant intake arm beyond the buoy line.

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- 2) The power plant discharge arm beyond the buoy line.
 3) The designated South Waterfowl Refuge or Rest Area.
 4) The designated North Waterfowl Refuge or Rest Area.
 g) Macoupin Creek from its mouth at the Illinois River upstream to Reddish Ford bridge.
 h) The following portions of Coffeen Lake in Montgomery County---the ~~buoyed-areas-surrounding-all-boat-launches~~ are designated as No Boats and No Fishing areas:
 1) The power plant intake arm beyond the buoy line.
 2) The power plant discharge arm beyond the buoy line.
 3) The buoyed area of the spillway.

- i) The following portions of the Kaskaskia River are designated as Slow, No Wake Areas:

- 1) All backwaters and/or side channels below Fayetteville, Illinois.
 2) All waters between the Illinois Route 3 Bridge and the Northern boundary of the public boat ramp in Evansville, Illinois.
 3) All waters between the ICG Railroad Bridge and the entrance to the public boat launching ramp known as "Baldwin Ramp."

- 4) River Mile 24 to 25.
 5) 100 yards upstream and 100 yards downstream from the Kaskaskia River Lock and Dam.

- 6) 100 yards upstream and 100 yards downstream from the New Athens boat launching ramp.

- j) The following portion of the Mississippi River is designated as a Slow, No Wake area:
 An area 6 1/2 miles north of Hamilton, Illinois.

- k) Those portions of Carlyle Lake, as posted, are designated No Entry, No Boats, No Fishing, or otherwise restricted areas.

(Source: ~~Amended 1995~~ 19 Ill. Reg. 7549, effective MAY 26 1995)

Section 2030.60 Region V - Designated Restricted Boating Areas (Repealed)

~~That--portion-of--Big--Grand-Pierre-Creek-in-Pope-County--from-its-mouth-at-the Ohio-River-to-a-point-one-half-mile-upstream-is-designated-Slow-No-Wake--from January-1-through-August-31~~

(Source: Repealed at 19 Ill. Reg. 7549, effective MAY 26 1995)

Section 2030.70 Riverboat Gambling Casinos - Designated Restricted Boating Areas

It shall be unlawful to operate any watercraft at greater than a No Wake speed within 150 feet of any moored, licensed Riverboat Gambling Casino on the waters of this State.

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(Source: Added at 19 Ill. Reg. 7549, effective
MAY 26 1995)

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- 1) Heading of the Part: White-Tailed Deer Hunting by Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Numbers: Adopted Action:
- | | |
|--------|------------|
| 670.10 | Amendments |
| 670.20 | Amendments |
| 670.21 | Amendments |
| 670.40 | Amendments |
| 670.50 | Amendments |
| 670.60 | Amendments |
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.33, 3.5, and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.33, 3.5 and 3.36].
- 5) Effective Date of Rulemaking: May 26, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date filed in Agency's Principal Office: May 26, 1995
- 9) Notice of Proposal Published in Illinois Register: February 17, 1995, 19 Ill. Reg. 1393
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
- In Section 670.10(c), "No firearm deer hunting" in parenthesis at the end of the subsection was changed to read "no firearm deer hunting."
- The Section Source Note for Section 670.10 was changed to read "19 Ill. Reg." and the date and page number were left blank.
- In Section 670.20(a) "deer deer" was changed to read "deer."
- In Section 670.20(b), a space was placed between "the" and "official" and "state" was capitalized.
- The Section Source Note for Section 670.21 was changed to "Amended."
- In Section 670.50(a)(3), the period at the end of the sentence was changed to a semi-colon.

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- In Section 670.50(a)(4), the "Ill. Rev. Stat." citation was removed.
- In Section 670.50(b)(2), the citation was changed to read "[520 ILCS 5/3.36]."
- In Section 670.50(c), the "Ill. Rev. Stat." citation was removed.
- In Section 670.60(b) through (g), all new language, was underscored.
- In Section 670.60(b), the last part of the paragraph was changed to read: ". . . from September 15 through January 31 at those sites listed in this Section that are followed by a (1)."
- Section 670.60(c), the last part of the paragraph was changed to read ". . . listed in this Section that are followed by a (2)."
- Section 670.60(e), the last part of the paragraph was changed to read ". . . listed in this Section that are followed by a (4)."
- Section 670.60(f), the last part of the paragraph was changed to read ". . . listed in this Section that are followed by a (5)."
- In Section 670.60(g), the period was changed to a semi-colon.
- In Section 670.60(g), "Coffee Lake State Fish and Wildlife Area (2)" was added.
- In Section 670.60(g), Kaskaskia River, a closing parenthesis was added following "(2)."
- In Section 670.60(g), Union County, a closing parenthesis was added after "closing."
- In Section 670.60(h), the period was changed to a semi-colon.
- In Section 670.60(h), the following site was added: "Rend Lake State Fish and Wildlife Area (designated area on refuge only December 15-17, 1995)."
- In Section 670.60(i), a closing parenthesis was added following "registration."
- In Section 670.60(j), "Pheasant," in two places and "Permit" were changed to lower-case.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rulemaking: Amendments to this Part allow for the sale of archery deer permits over-the-counter (OTC) through licensed vendors. The new OTC permit is a combination permit consisting of one either-sex and one antlerless-only permit. The cost of the combination permits is \$25, a single either-sex permit will still be available by mail from the permit office. The issuance of head and hide tags with the permit is discontinued so that the OTC permits will not be too large. Site-specific rules were standardized to simplify the rule.
- 16) Information and questions regarding these adopted amendments shall be directed to:
- Jack Price
Department of Conservation
524 S. Second Street, Room 430
Springfield, IL 62701-1787
(217) 782-1809

The full text of the Adopted Amendments begins on the next page:

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TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 670

WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

- 670.10 Statewide Open Seasons and Counties
670.20 Statewide Deer Permit Requirements
670.21 Deer Permit Requirements - Landowner/Tenant Permits
670.30 Statewide Legal Bow and Arrow
670.40 Statewide Deer Hunting Rules
670.50 Rejection of Application/Revocation of Permits
670.55 Reporting Harvest
670.60 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 2.1, 2.2, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired at March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 2560, effective

MAY 26 1995

Section 670.10 Statewide Open Seasons and Counties

- a) All regulations set forth in Chapter 61, Section 2.26 of the Wildlife Code apply in this rule.
b) For Cook, DuPage, Kane and Lake counties - October 1 through January 12 the first Thursday after January 10.
c) For all other counties - October 1 through January 12 the first Thursday after January 10, closed during the period when deer hunting

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with a firearm is permitted as set out in 17 Ill. Adm. Code 650, except Department of Conservation (Department or DOC) owned or managed sites designated below in Section 670.60 by an asterisk (*) shall be open to archery deer hunting without regard to firearm deer season. (No firearm deer hunting pursuant to 17 Ill. Adm. Code 650 allowed).

(Source: Amended at 19 Ill. Reg. 2560, effective MAY 26 1995)

Section 670.20 Statewide Deer Permit Requirements

- a) Illinois resident hunters must have a current, valid archery deer permit. The fee for a resident archery deer permit shall be \$25.00. Nonresident archery deer permits shall be \$120.00. A single either-sex archery deer permit will be available until September 1 of each year by mail only from the Permit Office. The fee for a resident archery single permit shall be \$15.00; a nonresident archery single permit shall be \$100.00. The permit will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner. For the single either-sex permit, the permit applications and other information, write to:

Department of Conservation
Archery Deer Permit Office
524 South Second Street, Room 210
P.O. Box 19227
Springfield, Illinois 62794-9227

- b) Applicants To obtain the single either-sex permit or a landowner/tenant permit, applicants must submit the following information to the Permit Office:
1. A completed application form from previous years will be returned. Applicants must complete all portions of the permit application form. Incomplete applications and fees will be returned. Each applicant must submit a personal check or money order for an individual application. The combination archery deer permits are available from license vendors located throughout the State. Hunters purchasing archery deer permits must fill out the application form.

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information to the license vendor in order to properly complete the permit.

c) ~~Bates-of~~ Beginning dates for acceptance of applications for the single either-sex permit will be announced publicly. Archery applications received after September 1 ~~cannot be guaranteed a permit by October 1~~ will be rejected and the fees returned.

d) Permits are not transferable. Refunds will not be granted.

e) A three dollar \$3.00 service fee will be charged for replacement permits issued by the Department of Conservation (Department or DOC), except that there will be no charge for permits lost in the mail. The procedures for obtaining a replacement license are detailed in 17 Ill. Adm. Code 2520.150. Monies from this source will be deposited in the Wildlife and Fish Fund.

f) ~~Out-of-state applicants must contact the Department of Conservation Archery-Deer Permit Office 524-S-Second-Street-Room-210-P.O.-Box 19227--Springfield--Illinois--62794-9227--for--a--non-resident application-and-fee-information~~

g) ~~All--resident--applicants--are-eligible-to-receive-one-antlerless-only Archery-Deer Permit-(515-99)-Non-residents-must-purchase-an-either-sex permit-(5100-99)-in-order-to-be-eligible-for-one-antlerless-only permit-(925-99)-~~

h) ~~the-maximum-number-of-archery-deer-permits-an-applicant-can-receive-is two-either-sex-and-one-antlerless-only~~

i) There is no limit to the number of combination archery deer permits that an individual may purchase, but each individual is limited to one of the single either-sex permits per season.

(Source: Amended at 19 Ill. Reg. 7560, effective MAY 26 1995)

Section 670.21 Deer Permit Requirements - Landowner/Tenant Permits

a) The immediate family of a landowner or tenant is limited to the spouse, children or parents permanently residing on the same property as the landowner or tenant.

b) A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. Hunting and mineral rights leases are not valid for a tenant permit.

c) Resident Illinois landowners who own 40 acres or more of land and resident tenants renting or leasing 40 acres or more of commercial agricultural land, and members of their immediate family, may apply for a free combination archery deer permit for their property only. Resident--landowners--or--tenants--having--been--issued--a--free landowner/tenant--either-sex--archery--permit--shall-be-issued--an additional-antlerless-only-free-landowner/tenant-archery-permit-for their--property--only. Nonresident Illinois landowners (of 40 acres or

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more) are also eligible to apply for ~~an-either-sex-permit-and-an antlerless-only~~ a combination archery deer permit for their property only. The fee to non-resident Illinois landowners owning 40 acres or more for ~~permits a combination permit for their property only shall be \$50-99-for-each-either-sex-permit-and-\$25-99-for-each-antlerless-only permit \$70.00.~~ This deer hunting permit shall be valid on all farm lands owned, leased, or rented by the person to whom it is issued. Qualified landowners tenants who choose not to receive property-only firearm permits may receive 2 combination archery deer permits for their property only.

d) If property is owned or rented by more than one person, only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land. For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive deer permits.

e) Shareholders of corporations owning 40 or more acres of land in a county may apply for one ~~either-sex~~ combination permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a permit for the shareholders of the lessee.

Lands held in trust by corporations shall not be considered as a basis for a permit by the shareholders of the trustee. If application is made for a permit based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the corporate lands for which a permit is being requested. This statement must identify the applicant as a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office. The shareholder ~~either-sex~~ combination permit shall be free to resident shareholders, and the cost to nonresident shareholders shall be \$50-99--~~An-antlerless-only shareholder-permit-(free-to-resident-shareholders-\$25-to-nonresident shareholders)-will-be-made-available--if--in--the--best--interest--of managing-the-deer-herd- \$70.00.~~

f) The application period for these permits will be publicly announced. Applicants submitting applications for ~~an~~ a landowner or shareholder archery permit after September 1 will not be guaranteed a permit by October 1.

(Source: Amended at 19 Ill. Reg. 7560, effective MAY 26 1995)

Section 670.40 Statewide Deer Hunting Rules

a) The bag limit is one deer per legally authorized either-sex, antlered-only or antlerless-only permit. An either-sex permit holder

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is allowed to take a deer with or without antlers. An antlered-only permit holder is allowed to take only a deer having at least one antler of a length of 3 or more inches. An antlerless-only permit holder is allowed to take only a deer without antlers or a deer having antlers less than 3 inches long.

b) Recipients of the Archery Deer Hunting Permit shall record their signature, hunting license number (unless exempt), and physical description on the permit and must carry it on their person while hunting.

c) The leg tag shall be attached and properly sealed immediately upon kill and before the deer is moved, transported or field dressed. No person shall leave any deer that has been killed without properly attaching the leg tag to the deer. ~~the head/antler/tag-and-hide-tag must be attached to the appropriate parts when the deer/parts of--deer is--delivered--to--a--licensed--fur--buyer--tanner--or--taxidermist--for processing.~~ The leg tag must remain attached to the leg of the deer until it is processed, then must remain with the processed deer until it is at the legal residence of the person who legally took or possessed the deer. Persons delivering deer/parts of deer to a taxidermist, furbuyer, or tanner for processing must supply the taxidermist, furbuyer, or tanner with their deer permit number to verify lawful acquisition. In the absence of a permit number, the taxidermist, furbuyer, or tanner may rely on the written certification of the person from whom the deer was received that the specimen was legally taken or obtained.

d) Hunters shall not have in their possession, while in the field during archery deer season, any deer permit issued to another person (Permits are non-transferable).

e) Permits will not be re-issued in cases involving deer taken which are found to be diseased or spoiled due to previous injury. Legal disposal of unfit deer taken shall be the responsibility of the hunter.

Section 670.50 Rejection of Application/Revocation of Permits

a) In the event that an applicant for one of the permits available from the Permit Office is in violation of one of the following subsections, in addition to other penalties the application shall be held in suspension, and the any application fees shall be deposited, pending a determination by the permit office of whether the violation was knowing. If the permit office determines the violation was knowing, the application shall be rejected and the any fee collected shall be retained by Conservation. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530. Should it be determined that the violation was without the knowledge of the applicant, the permit office will process only the number of applications allowed by administrative rule but will retain the fees for all applications. These monies will be deposited into the Wildlife and Fish Fund with

DEPARTMENT OF CONSERVATIONS

NOTICE OF ADOPTED AMENDMENTS

additional applications rejected and fees returned.

1) Using a hunting rights lease, mineral rights lease or other lease for land which does not evidence a genuine farm tenancy to obtain an archery deer permit;

2) Submitting more applications in the same name or by the same person for an archery deer permit than allowed for in Sections 670-20 and 670-21;

3) Providing false and/or deceptive information on the deer permit application form;

4) Submitting an application when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code (Ill. Rev. Stat. 1991, ch. 61, par. 3.36) [520 ILCS 5/3.36].

5) ~~Applying for more than two either-sex archery deer permits or one antlerless-only permit.~~

b) In the event that the purchaser of a combination archery deer permit is in violation of one of the following subsections, the permit will be revoked in addition to any other penalties. The applicant may request a hearing on this decision pursuant to 17 Ill. Adm. Code 2530.

1) Providing false and/or deceptive information on the deer permit form.

2) Purchasing an archery deer permit when the applicant has a license or permit currently revoked pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].

b7c) Any violations of the Wildlife Code ~~that--Rev--Stat--1991--ch--61--para--3.36--seq--~~ [520 ILCS 5] or administrative rules of the Department (17 Ill. Adm. Code, Chapter I), in addition to other penalties, may result in revocation of deer hunting permits as per 17 Ill. Adm. Code 2530.

(Source: Amended at 19 Ill. Reg. 7560, effective

MAY 26 1995)

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.

b) Tree stands that are used for hunting deer must be legibly marked with the owner's name, address and telephone number when left unattended. These tree stands must comply with restrictions listed in 12-111-Adm-Code-510-10(f)(1) and must be portable. Only one tree stand is allowed per deer permit holder.

c) Tree stands may be left unattended during the deer season at those sites listed in the following subsections that are followed by a title. Statewide regulations as provided for in this Section shall apply except as noted in parentheses for the following sites:

Cache River State Natural Area (111)

DEPARTMENT OF CONSERVATIONS
NOTICE OF ADOPTED AMENDMENTS

Campbell Pond-Wildlife-Management-Area-(t)(t)
Early Lake--Early Lake-Wildlife-Management-Area-and-Corps-of-Engineers--managed-lands-except-Early Lake-Wildlife-Management-Area-in-the-Southampton-Area--hunting-closed-three-days--prior-to-and-during-the-regular-watertowl-season
Chancey Marsh--permit--required--may-be-obtained-at-Red-Hills State-Park-headquarters--permit-must-be-returned-by-February--15--no-hunting-in-dedicated-Nature-Preserve-(t)(t)

Bog Island-Wildlife-Management-Area-(t)(t)
Kaskaskia--River--Fish--and--Wildlife--Area-(Boza-Creek-Watertowl Management-Area--a-part-of-this-site-closed-to--hunting--3--days prior-to-the-regular-duck-season-(t)(t)
Kidd Lake--State-Natural-Area-(t)(t)

Lake--Shelbyville-----Kaskaskia--and--West-Okaw-Fish-and-Wildlife Areas-(t)(t)
Mississippi-River-Pools-167-177-180-21-237-24
Mississippi-River-Pools-25-and-26-(t)(t)

Oakford-Conservation-Area-(t)(t)
Panther-Creek-Conservation-Area-(t)(t)
Pike-County-Conservation-Area--(No-hunting-after--November--30--in Area-A)--no-hunting-after-December-15--in-Area-C)

Rend Lake-Project-Bands-and-Waters
Sandy-Ford-Conservation-Area--(LaSalle-County)
Sangamon-County-Conservation-Area
Sangamon-Conservation-Area-(t)(t)

Shawnee-National-Forest
Sunspot-Mine-(Pulaski-and-Schuylar-Counties)
Ten-Mile-Creek--Fish--and--Wildlife--Management--Area-----Baldy Baldgry--and--Goshen--Tract--Units-only--(Permit--required--areas designated-as-Refuge-are-closed-to-all-access-during-Canada-Goose

DEPARTMENT OF CONSERVATIONS
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season-only-windshield-cards-must-be-displayed-on--dashboard--of-vehicle--permits--must--be--returned--by-February-15--to-Office Wildlife-Manager--P.O.-Box-3197-Elmwood-62450-(t)(t)

Wildcat-Hollow-State-Forest
e) Statewide-regulations-as-provided-for-in-this-part-shall-apply--except that-all-hunters-must-check-in-and-check-out-and-report-deer-harvested at--the--check-station--Any-other-variations-are-given-in-parentheses for-the-following-sites

* Argyle-Lake-State-Park
* Banner-Marsh-Fish-and-Wildlife-Area
* Big-Bend-Conservation-Area-(t)(t)
Big-River-State-Forest

Castle-Rock-State-Park--(season--November-1-through-December--31 (t)(t)

Clinton-Lake--(Inner-Penninsula-and-Macounin-Areas-Only)--(Hunters shall--be--selected--to--hunt--a--specific--time-period--within--the statewide--season--by--drawing--held--at--state--proceedings--for apportion--and--drawing--shall--be--announced--by--news-release hunters--must--have--one--deed--before--being--allowed--to--take--an antlered--deer--permits--who--violate--the--rules--or--provisions--of this--hunt--will--forfeit--their--participation--privileges--for--the remainder--of--the--season)

Crawford-County-Conservation-Area-(t)(t)
* Eldon-Hatch--State--Park--(North--of--Allen--Branch--and--West-of Peppertown-Branch--North-of--Allen--Branch--only--has--a--check station)

Perne-Glynn-State-Park-(t)(t)
Port-de-Chartrre-Historic-Site-(t)(t)
Port-Massac--State-Park-(t)(t)
Franklin-Creek-State-Park
Grant-City-State-Park-(t)(t)

Green-River--State--Wildlife-Area--(Lee-County-Conservation-Area--closed-during--permitt--pheasant--season)

DEPARTMENT OF CONSERVATIONS

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Horsehoe--Lake--Conservation--Area--Alexander--County--Public
Goose--Hunting--Area--Open--from--October--1--until--25--days--prior--to
the--opening--of--the--Quota--zone--Goose--Season--reopens--with--the
close--of--the--quota--zone--goose--season--through--statewide--closing
other--portions--of--the--Public--Hunting--Area--open--during--statewide
season--(fifteen)

Kinkaid--Lake--Fish--and--Wildlife--Area--(fifteen)

i-24--Wildlife--Management--Area--(fifteen)

* Johnson--Sauk--Trail--State--Park--(October--1--the--day--before--the
upland--game--season--and--on--Mondays--and--Tuesdays--during--the--upland
game--season)--(fifteen)

Dublee--College--State--Park--(closed--the--1st--weekend--Saturday--and
Sunday--of--October)

Mackinaw--River--State--Fish--and--Wildlife--Area--(October--15--through
statewide--closing)

Maretilles--Fish--and--Wildlife--Area--(no--hunting--on--Friday
Saturday--or--Sunday--in--October)--(fifteen)

Marshall--State--Fish--and--Wildlife--Area

* Randolph--County--Conservation--Area--(fifteen)

* Red-Hills--State--Park--(fifteen)

* Rice--Lake--(season--the--day--after--the--close--of--the--duck--season
through--statewide--closing)

Satine--County--Conservation--Area--(fifteen)

* Sam--Park--Fish--and--Wildlife--Area--(fifteen)

Shabbona--Lake--State--Park--(Indian--Road--Wildlife--Management--Area)

Sliver--Springs--State--Park--(daily--quota--posted--at--site--quota
filled--on--first--comey--first--serve--basis)

Southern--Illinois--University--Indian--Creek--Management--Unit--(fifteen)

Wapley--Woods--State--Natural--Area

* Pratt--of--Weare--State--Forest--(fifteen)

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Turkey--Bluffs--Fish--and--Wildlife--Area--(fifteen)

Union--County--Conservation--Area--Public--Goose--Hunting--Area--(open
from--October--1--until--25--days--prior--to--the--opening--of--the--Quota
zone--Goose--Season--reopens--with--close--of--quota--zone--goose--season
through--statewide--closing)--(fifteen--Bine--Management--Unit--(open
during--statewide--season)--(fifteen)

* Washington--County--Conservation--Area--(bow--deer--hunters--must--wear--a
cap--and--upper--outer--garment--of--solid--blue--orange--of--at--least--400
square--inches--between--9:00--a.m.--and--3:00--p.m.--on--those--days--when
pheasant--quail--and--rabbit--hunting--is--allowed--during--the--state's
controlled--pheasant--hunting--season--(fifteen)

Wayne--Pittsburg--State--Recreation--Area--except--closed--Wednesday
through--Sunday--during--Controlled--Pheasant--Hunting--Season--see--17
Ill--Adm--Code--530--(fifteen)

Woodford--County--Conservation--Area

f) Statewide--regulations--as--provided--for--in--this--part--shall--apply--for
deer--bow--hunting--except--that--hunters--must--check--out--and--report--their
harvest--any--reduced--hunting--season--and/or--daily--hunting--hours--if
required--are--given--in--parentheses--for--the--following--sites:

* Anderson--Lake--Conservation--Area

Beaver--Dam--State--Park--(except--in--designated--hunting--area--where
hunting--dates--are--from--October--14--through--October--30--October--31
through--November--6--and--November--7--through--November--13--number--of
hunters--limited--during--each--7-day--period--public--drawing--held--at
state--office)--(fifteen)

Irrequois--County--Conservation--Area--(closed--Wednesday--through
Sunday--of--the--pent--pheasant--season--and--during--the--non--pent
pheasant--season--except--that--hunting--is--permitted--according--to
statewide--regulations--in--the--80--acre--north--and--east--of--Hooper
Branch--Nature--preserve)--(fifteen)

Pere--Marquette--State--Park--(except--in--designated--areas--where
hunting--dates--are--from--October--14--through--October--31--November--1
through--November--3--and--November--4--through--November--14--number--of
hunters--limited--during--each--7-day--period--public--drawing--held--at
state--office)--(fifteen)

Pyramid--State--Park--(fifteen)

Wetmore--King--State--Park

g) Statewide--regulations--as--provided--for--in--this--part--shall--apply--except

DEPARTMENT OF CONSERVATIONS

NOTICE OF ADOPTED AMENDMENTS

[illegible][illegible][illegible][illegible]

Mississippi-Pattersons--State--Park--season--November--through
December--34

Moraine--View--State-Park--(closed-Wednesday-through-Sunday-during
season--season--(fit

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Pekin--Bake-State-Fish-and-Wildlife-Area-(no-hunting-south-of-Big
Bick-Creek; one-deer-per-hunter-per-year)

Sand-Ridge-State-Prest-4444

Snowflake-Conservation-Area

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DEPARTMENT OF CONSERVATIONS

NOTICE OF ADOPTED AMENDMENTS

Union-Women-Work-for-the-Artists-Reserve-Unit-October-1st-1943
 3-day-week-end-Party-Sunday-Sunday-October-1st-1943
 Saturday-October-1st-1943-October-1st-1943

[illegible][illegible]

Sanger + Burke - End - with the Area

[illegible][illegible][illegible][illegible]

一、二、三、四、五、六、七、八、九、十、十一、十二、十三、十四、十五、十六、十七、十八、十九、二十、二十一、二十二、二十三、二十四、二十五、二十六、二十七、二十八、二十九、三十、三十一、三十二、三十三、三十四、三十五、三十六、三十七、三十八、三十九、四十、四十一、四十二、四十三、四十四、四十五、四十六、四十七、四十八、四十九、五十、五十一、五十二、五十三、五十四、五十五、五十六、五十七、五十八、五十九、六十、六十一、六十二、六十三、六十四、六十五、六十六、六十七、六十八、六十九、七十、七十一、七十二、七十三、七十四、七十五、七十六、七十七、七十八、七十九、八十、八十一、八十二、八十三、八十四、八十五、八十六、八十七、八十八、八十九、九十、九十一、九十二、九十三、九十四、九十五、九十六、九十七、九十八、九十九、一百。

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Pekin--Lake-State-Pan-and-Wildlife-Area-
Hick-Creek--one-deer-per-hunter-per-year

Sand-Ridge-State-Prest-4444

Snowflake-Conservation-Area

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DEPARTMENT OF CONSERVATIONS

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statewide-regulations--guesday-hunting-hours-are-from-one-half--hour before--sunrise--to--2:00-p.m.-and-hunters-must-check-out-by-3:00-p.m. the-area-is-closed-to-hunting-on-Christmas-Bay---Hunters--must--check in--check-out--and--report-deer-harvested-at-the-main-park-entrance gatehouse--A-spectai--state--season-hunt-will-be-held-December--26 through--statewide--closing---Baily--quote--fitted--on-a-first-comey first-served-basis--Statewide-regulations-as-provided--in--this--part shall-apply---Hunters--must--check-in--check-out--and-report-deer harvested-at-the-Oak-Point-Access-Area--where--check--in--regulations will-be-posted.

Chain-O'-Lakes-State-Park

i) Hunters--must--obtain--a-free-permit--from-the-site-office---The-permit must-be-in-possession-while-hunting--failure--to--report--harvest--by February-15-shall-result-in-loss-of-hunting-privileges-at-the-site-for the-following-year.

Clinton--Lake--State--Recreation--Area--(except-Mascoutin-Area-and Inner-Pentinsuta)--(ree-stands-must-be-marked--with---site--hunting permit-number-visible-from-ground-level)--(11)

Eagle-Creek-State-Park

Fox-Ridge-State-Park--(11)

Hamilton-County-Conservation-Area--(11)

Hidden-Springs-State-Park--(11)

Lake-Sheibsville-Eagle-Creek-Wildlife-Management-Area

Mernett-Conservation-Area--(11)

Newton--Lake--State-Fish-and-Wildlife-Area--(statewide-regulations apply--check-deer-at-headquarters--return-permit-to-site-office)

* Ramsey-Lake-State-Park--(11)

* Sam-Bate-Lake-Conservation-Area--(11)

* Stephen-Ar-Porbes-State-Park--(11)

m) Hunters--must-obtain-free-permit--from--site--office--permit--must--be returned-and-harvest-reported-by-February-15--failure-to-return-permit shall-result-in-loss-of-hunting-privileges-the-next-season.
Kickapoo-State-Park--(11)

Middlefork-Fish-and-Wildlife-Area--(11)

n) Hunters--will--apply--to--site--for-permit-to-hunt-specific-time-period within-statewide-season--permits-shall-be-allocated-by-random--drawing

DEPARTMENT OF CONSERVATIONS

NOTICE OF ADOPTED AMENDMENTS

at--site--procedures--for-application-and-drawing-shall-be-announced-by news-releaser--permit-holders-are-required-to-return-their--permit--and report--harvest--within--ten--days--after--the--close-of-statewide-bow season:

Maint-Point-Fish-and-Wildlife-Area

b) Only one tree stand is allowed per deer permit holder. Tree stands must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and must be portable. Tree stands must be removed at the end of each day with the exception that tree stands may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1).

c) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2).

d) Where standby hunters are used to fill quotas, a drawing will be held at sites indicated by a (3).

e) Only antlerless deer or antlered deer having at least four points on one side may be harvested at those sites listed in this Section that are followed by a (4).

f) Only antlerless deer or antlered deer having at least five points on one side may be harvested at those sites listed in this Section that are followed by a (5).

g) Statewide regulations shall apply at the following sites:

Argyle Lake State Recreation Area (2)

* Anderson Lake Fish and Wildlife Area (2)

* Banner Marsh Fish and Wildlife Area (2)

* Big Bend State Fish and Wildlife Area (1)(2)

Big River State Forest (2)

Cache River State Natural Area (1)(2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands)

Carlyle Lake Wildlife Management Area (except subimpoundment area is closed seven days prior to and during the regular waterfowl season)

Castle Rock State Park (1)(2)

Coffee Lake State Fish and Wildlife Area (2)

Crawford County Conservation Area (1)(2)

Dog Island Wildlife Management Area (1)(2)

DEPARTMENT OF CONSERVATIONS
NOTICE OF ADOPTED AMENDMENTS

- Mt. Vernon Propagation Center (1)(2)
- Oakford Conservation Area
- Panther Creek Conservation Area (1)(2)
- * - Peabody River King State Fish and Wildlife Area (East and North subunits close November 1) (1)(2)
- Pere Marquette State Park (area east of Graham Hollow Road) (2)
- Pike County Conservation Area (2)
- Pyramid State Park (1)(2)
- * - Randolph County Conservation Area (1)(2)
- * - Red Hills State Park (1)(2)
- Rend Lake State Fish and Wildlife Area
- Rice Lake Fish and Wildlife Area (2)
- Saline County Fish and Wildlife Area (1)(2)
- * - Sam Parr State Park (1)(2)
- Sangamon County Conservation Area
- Sangamon State Wildlife Area (1)
- Shabbona Lake State Park (2)
- Shelbyville Wildlife Management Area (1)
- Siloam Springs State Park (1)(2)(4)
- Silver Springs State Park (2)
- Tapley Woods State Natural Area (1)(2)
- Trail of Tears State Forest (1)(2)
- Turkey Bluffs Fish and Wildlife Area (1)(2)
- Union County Conservation Area (Controlled Goose Hunting Area - open from October 1 until 25 days prior to the opening of the Quota Zone goose season; reopens with the close of the Quota

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- * - Eldon Hazlet State Park (2)
- Ferne Clyffe State Park (1)(2)
- Fort de Chartres State Historic Site (1)(2)
- Fort Massac State Park (1)(2)
- Franklin Creek State Park (2)
- Giant City State Park (1)(2)
- Heidecke State Fish and Wildlife Area (2)(3)
- Horseshoe Lake Conservation Area - Alexander County (Controlled Goose Hunting Area - open from October 1 until 25 days prior to the opening of the Quota Zone goose season; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1)(2)
- I-24 Wildlife Management Area (1)(2)
- Jubilee College State Park (2)(4)
- Kaskaskia River Fish and Wildlife Area (1)(2), except south of Highway 154 and north of Highway 13
- Kidd Lake State Natural Area (1)
- Kinkaid Lake Fish and Wildlife Area (1)(2)
- Lowden-Miller State Forest (1)(2)(4)
- Mackinaw River Fish and Wildlife Area (1)(2)
- Marseilles Wildlife Area (closed Friday, Saturday, and Sunday in October) (1)(2)
- Marshall Fish and Wildlife Area (2)
- Mississippi Fish and Waterfowl Management Area - Pools 25 and 26
- Mississippi River Pool 16 (1)
- Mississippi River Pools 17, 18 (1)
- Mississippi River Pools 21, 22, 24

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Zone goose season through statewide closing) (1)(2)Walnut Point Fish and Wildlife Area (1)

* Washington County Conservation Area (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (1)(2)

Weinberg-King State Park (2)Wildcat Hollow State Forest (1)

h) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by mail-in drawing:

Beaver Dam State Park

Pere Marquette State Park (hunting in designated camp areas only; season begins the first weekday after camps close)

Rend Lake State Fish and Wildlife Area (designated area on refuge only December 15-17, 1995)Union County Conservation Area (designated areas only, October 27-29, 1995)

i) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1)Clinton Lake State Recreation Area (except Inner Peninsula and Mascoutin areas) (1)

Des Plaines Conservation Area (closed to archery deer hunting during the site's upland game hunting season) (2)

Des Plaines Game Propagation Center (2)Eagle Creek State Park

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Fox Ridge State Park (1)Hamilton County Conservation Area (1)Hidden Springs State Forest (1)

Joliet Army Ammunition Plant (an additional \$15 fee will be assessed upon registration) (2)

Kankakee River State Park (deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season) (2)

Kickapoo State Park (1)Maitino State Fish and Wildlife Area (1)Mermet Lake Conservation Area (1)(2)Middle Fork Fish and Wildlife Area (1)Mississippi Palisades State Park (November 1 through December 31) (1)Newton Lake Fish and Wildlife Area (check deer at site office)Pekin Lake Fish and Wildlife Area (1)Ramsey Lake State Park (1)Sam Dale Lake Conservation Area (1)Sand Ridge State Forest (1)Sangchris Lake State Park (1)(5)Site M (1)(4)

Snake Den Hollow Fish and Wildlife Area (October 1 through start of the central zone goose season)

Spring Lake Fish and Wildlife Area (1)Stephen A. Forbes State Park (1)

Ten Mile Creek Fish and Wildlife Area (areas designated as refuge

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are closed to all access during Canada goose season only) (1);
Belle Rive Unit only (4)

Witkowski State Wildlife Area (1)

j) Statewide regulations shall apply except that no hunting is permitted Wednesday through Sunday of the site's permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes Tuesday following the close of the permit pheasant hunting season. Tuesday hunting hours close at 2:00 p.m. and hunters must check out by 3:00 p.m. Season reopens on December 26 till close of regular season.

Green River State Wildlife Area (1)(2)

Iroquois County Conservation Area (2)

Johnson Sauk Trail State Park

Moraine View State Park (1)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site) (1)(2)

k) Statewide regulations shall apply at the following sites except that hunter quotas are filled by mail-in drawing. Hunters must harvest one doe before being allowed to take an antlered deer.

Clinton Lake (Inner Peninsula and Mascoutin areas only)

(Source: Amended at 19 Ill. Reg. 7560', effective
MAY 26 1995)

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- 1) Heading of the Part: Illinois Farm Development Authority
- 2) Code Citation: 8 Ill. Adm. Code 1400
- 3) Section Numbers: Adopted Action:
1400.146 Amendment
1400.147 Amendment
- 4) Statutory Authority: 20 ILCS 3605/7
- 5) Effective Date of Amendments: May 26, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: January 25, 1995
- 9) Notice of Proposal Published in Illinois Register: February 10, 1995, 19 Ill. Reg. 1164
- 10) Has JCAR issued a Statement of Objection to these amendments? No
- 11) Difference between Proposal and Final Version: Changes were made at the request of the Administrative Code Division. No other changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes requested by JCAR.
- 13) Will these amendments replace emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The changes to Sections 1400.146 and 1400.147 are to incorporate Public Act 88-0571.
- 16) Information and questions regarding these adopted amendments shall be directed to:

Laura A. Lanterman, C.P.A.
Chief Financial Officer
Illinois Farm Development Authority
427 East Monroe Street, Suite 201
Springfield, Illinois 62701
(217) 782-5792

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The full text of the Adopted Amendment begins on the next page:

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TITLE 8: AGRICULTURE AND ANIMALS
CHAPTER VII: ILLINOIS FARM DEVELOPMENT AUTHORITY

PART 1400

ILLINOIS FARM DEVELOPMENT AUTHORITY

Section

1400.10 Definitions
1400.20 Composition, Appointment and Terms of Office

1400.30 Officers

1400.40 Executive Director

1400.50 Meetings

1400.60 Quorum

1400.70 Reimbursement

1400.80 Rules of Order

1400.90 Records and Reports

1400.100 Public Participation

1400.110 Rulemaking Procedures

1400.120 Purchasing Rules and Regulations

1400.130 Rules and Guidelines Applicable to All Bond Programs

1400.140 Bond Programs and Rules Applicable to Each

1400.145 Rules and Guidelines Applicable to the Interest Buy Down Program

1400.146 Rules and Guidelines Applicable to the Young Farmer Guarantee

Program

1400.147 Rules and Guidelines Applicable to the State Guarantee Program for

Restructuring Aquacultural Deer

1400.148 Rules and Guidelines Applicable to the Farm Debt Relief Program

1400.149 Rules and Guidelines Applicable to the State Guarantee Program for

Agri-Industries

1400.150 Seal

1400.160 Principal Officer

1400.170 Revision

1400.180 Construction: Waiver: Severability.

ILLUSTRATION A OIALP Regions (Repealed)

AUTHORITY: Implementing and authorized by the Illinois Farm Development Act (Ill. Rev. Stat. 1991, ch. 5, par. 1201 et seq.) (20 ILCS 3605) and by the Farm Credit Allocation Act (Ill. Rev. Stat. 1991, ch. 5, par. 1251 et seq.) (20 ILCS 3610).

SOURCE: Emergency rules adopted at 6 Ill. Reg. 9340, effective July 15, 1982, for a maximum of 150 days; adopted at 7 Ill. Reg. 242, effective December 22, 1982; emergency amendment at 8 Ill. Reg. 363, effective December 27, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 9389, effective May 31, 1984; emergency amendment at 9 Ill. Reg. 8186, effective May 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 15493, effective October 1, 1985; emergency amendment at 9 Ill. Reg. 17879, effective October 31, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 2059, effective January 10, 1986,

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for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 4599, effective February 28, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11001, effective June 9, 1986; amended at 11 Ill. Reg. 3862, effective February 27, 1987; amended at 11 Ill. Reg. 9894, effective May 12, 1987; amended at 12 Ill. Reg. 11219, effective June 20, 1988; amended at 13 Ill. Reg. 2440, effective February 10, 1989; amended at 13 Ill. Reg. 14376, effective August 30, 1989; amended at 17 Ill. Reg. 3618, effective March 5, 1993; amended at 17 Ill. Reg. 15808, effective September 10, 1993; amended at 19 Ill. Reg. 2582, effective MAY 26 1995.

Section 1400.146 Rules and Guidelines Applicable to the Young Farmer Guarantee Program

- a) General Description of Program. The Young Farmer Guarantee Program (YFG) is designed to enhance credit availability to younger farmers who are purchasing capital assets. Loan funds may be used for new purchases of capital assets such as land, buildings, machinery, equipment, breeding livestock, soil and water conservation projects, etc. In some cases, up to 50% of the loan proceeds may be used to refinance existing debt as needed to improve lien positions. The provisions of this Section are applicable only to the YFG.
- b) Definitions Applicable to the YFG.

"Applicant" means a farmer whose application for a Young Farmer Guarantee has been submitted to the Authority by a lender.

"Asset" includes, but is not limited to, the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net cash value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life estates and personal residence; value of beneficial interest in trusts; payments or grants; and any other assets. (Ill. Rev. Stat. 1991, ch. 5, par. 1202) [20 ILCS 3605/2]

"Debt to Asset Ratio" means total outstanding liabilities, including any debt to be financed or refinanced under this Section, divided by total outstanding assets. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

"Fund" means the Illinois Farmer and Agribusiness Loan Guarantee Fund, which is the State's fund to cover losses resulting from defaults on young farmer guarantee loans. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

"Gross Annual Income" means income as defined in Section 61 of the Internal Revenue Code (26 U.S.C. 61).

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"Liability" includes, but is not limited to, the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments accrued; interest payable; and any other liability. (Ill. Rev. Stat. 1991, ch. 5, par. 1202) [20 ILCS 3605/2]

"YFG Loan" means an installment note for which the State of Illinois shall be liable for 85% of the total principal and interest as determined by the Authority.

"Young Farmer" means a resident of Illinois who is at least eighteen (18) years of age, who is a principal operator of a farm or land, who derives or will derive at least 50% of gross annual income from farming, who has a net worth of not less than \$10,000 nor more than \$250,000, and whose debt to asset ratio is not less than 40%. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

- c) Eligible Farmers. To qualify for participation in the YFG, each farmer must:

- 1) be at least eighteen (18) years of age and maintain his principal residence in the State;
- 2) be the principal operator of a farm who derives or will derive at least 50% of annual gross income from farming;
- 3) have a debt to asset ratio of 40% to 70% after purchase of the capital item and have a net worth of not less than \$10,000 and not more than \$250,000;
- 4) demonstrate the ability to adequately service the proposed debt. If this ability is not adequately demonstrated, he can have a guarantor sign the note with him and/or pledge additional collateral for the loan;
- 5) provide sufficient collateral to secure the YFG loan and agree to keep it adequately collateralized in the future. All real estate and depreciable property which is to be used as collateral on a YFG loan must be evaluated by a qualified appraiser. All real estate appraisals must meet Federal regulatory requirements and meet the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation. Auctioneers and machinery and equipment dealers are qualified to appraise depreciable property. The applicant is liable for all appraisal fees connected with the YFG Loan;
- 6) certify that all of his debts will be current at the time the YFG loan is closed. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

- d) Limitations

- 1) YFG loans shall not exceed \$300,000 per young farmer. A young farmer may use this program more than once provided the aggregated principal amount of YFG loans to that young farmer does not exceed \$300,000. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

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- 2) each YFG loan shall be set up on a payment schedule not to exceed 30 25 years, but shall be no longer than 15 years in duration. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4] The payment schedule for the loan will be tailored to the applicant's collateral and cash flow. Real estate loans may be amortized up to twenty-five years with a fifteen year balloon. Loans with depreciable property as collateral will be amortized over a shorter period.
- 3) The YFG loan can be fully or partially paid at any time while the loan is outstanding as long as the loan is held in the lender's portfolio and not sold into a secondary market. YFG loans may not be assumed.
- e) Application Procedures and Review.
 - 1) Lenders shall apply for the YFG loans on forms provided by the Authority. The application shall at a minimum contain the young farmer's name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the application, and the collateral to be used to secure the state guarantee. Applications shall be processed by the Authority on a first come, first served basis, based upon the receipt of all completed documents by the Authority.
 - 2) Lenders shall certify that the application and any other documents submitted are true and correct.
 - 3) Each applicant shall pay a \$300 application fee which will be submitted to the Authority at the time of the application. At the time the loan is closed, the applicant will be required to pay a closing fee of 3/4 of 1% of the YFG loan amount less the \$300 application fee. Of this 3/4 of 1% closing fee, the Authority shall receive 1/2% and the lender shall receive 1/4% to cover administrative expenses in completing the application packet and closing documents. The 3/4 of 1% closing fee may be included in the State Guarantee loan amount. The lender shall charge no fees or points in addition to those outlined herein. The applicant shall be responsible for paying any fee or charge involved in recording mortgages, releases, financing statements, insurance for secondary market issues, and any other similar fee or charge that the authority may require. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]
 - 4) When a State Guarantee application is submitted to the Authority, the Authority shall review the application to determine whether it is complete and whether it meets the criteria established by the Act and this Section. When the Authority has completed the review of the Guarantee application, the application shall be presented, along with a statement of recommended action, to the Board for review at its next regularly scheduled meeting. The review shall include whether the applicant and lender are in compliance with the requirements of the program. The review

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- shall also include an evaluation of collateral, percentage of loan, debt to asset ratio, cash flow, etc.
- 5) The Board shall approve the application and provide the Guarantee, pursuant to the Act and this Section; or, deny the application and serve upon the lender and applicant a written statement of the grounds for the denial.
- 6) If the application is denied, the applicant and the lender may request reconsideration stating reasons why the Board should withdraw its denial of the application and approve the State Guarantee. The request should be accompanied by supporting documents and/or information not previously considered by the Board. The Board shall review the request at its next scheduled meeting, and shall either approve or deny the application. A denial of a request for reconsideration shall be final.
- 7) Upon approval of an application and receipt of the documentation necessary to prepare loan closing documents, a YFG Loan Closing Documents package, which contains all the appropriate forms and documents to execute, shall be prepared by the Authority and sent to the lender. Upon completion of all such forms and documents by the applicant, lender and Authority and after satisfaction of all loan closing requirements, the YFG loan guarantee will be considered in force.
- f) Provision or Renewal of State Guarantees. The Authority shall provide or renew a State Guarantee to any lender if, in addition to meeting the other criteria described in the Act and this Section, the lender:
 - 1) charges a fixed or adjustable interest rate that the Authority determines to be below the market rate of interest generally available to the borrower. If both the lender and applicant agree, the interest rate on the YFG loan can be converted to a fixed interest rate at any time during the term of the loan;
 - 2) agrees to pay to the authority an annual fee equal to 25 basis points on the loan;
 - 3) agrees to complete and certify that, to the best of the lender's knowledge, all information is true and correct on the application, balance sheets, security analysis, cash flow projection and any other documents submitted;
 - 4) identifies collateral acceptable to the Authority in accordance with subsection (h) that is at least equal to the State Guarantee loan request;
 - 5) assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default subject to consulting the Authority;
 - 6) assumes responsibility for and agrees to absorb the first 15% loss of the outstanding principal of the note for which the State Guarantee has been applied;
 - 7) assumes responsibility for the timely collection and disposition of collateral on a YFG loan that is in default; provided, however, that the lender shall not collect or dispose of

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collateral on the YFG loan without the express written prior approval of the Authority. Approval shall be granted if the collateral is disposed of in a commercial manner, which nets an amount closely approximating the value of the collateral;

- 8) agrees that the Authority has final approval on the sale of all collateral for the YFG loan. After the sale of collateral, the State shall be reimbursed its 85% guaranteed portion of the principal balance at default. If funds from the sale of collateral remain after this payment, the lender shall be reimbursed its 15% of the principal balance at default. If excess funds remain after paying the principal to the State and lender, then the State and lender shall be repaid interest on a prorated basis; 85% of such excess funds shall be allocated to the State's portion and 15% shall be allocated to the lender's portion.

- 9) The YFG loan shall be reviewed annually by the lender and IFDA for adequacy of collateral and performance by the applicant. The applicant is required to provide the lender with a current financial statement annually.

- 1) If it is determined that there is not sufficient collateral to adequately secure the YFG loan, additional collateral may be required. If the applicant is unwilling or unable to pledge additional collateral, the YFG loan may be called due and payable.

- 2) If a YFG loan is going to be called for any reason, written notice which specifies the reasons for said action must be served to all parties (IFDA, lender, and borrower) not less than ninety days prior to call of the loan.

- 3) Failure of the applicant to make any payment on or before its due date shall render the loan delinquent. Notice of this delinquency shall immediately be sent to all parties. If the loan remains delinquent for a period of 90 days, the total outstanding principal and interest shall become due and payable immediately on the entire YFG loan. The YFG loan cannot be reinstated after the 90-day delinquency period.

- h) In the event of default that is not cured within ninety days or in the event a loan is called for any reason, the Authority shall make payment of the guaranteed portion of the YFG loan to the holder of the guarantee. This payment shall be equal to the sum of:

- 1) 85% of the principal balance as of the date of default or date of call less any proceeds received from sales of collateral;
- 2) 85% of the interest balance as of the date of default or call; and
- 3) 85% of the interest accrued from the date of default or call until the date payment is made up to a maximum of 120 days.

- i) The Illinois Farmer and Agribusiness Loan Guarantee Fund shall be used to secure State guarantee on YFG loans. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.4) [20 ILCS 3605/12.4]

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- 1) The Authority shall guarantee up to \$35,000,000 in loans through the YFG and SGPAI. The Illinois Farmer and Agribusiness Loan Guarantee Fund shall be funded with \$10,000,000 to cover any losses under these programs.

- 2) The Authority shall direct payments from this fund to guarantee holders as described in subsection (h) above.

- 3) Monies returned to the State on the disposition of collateral as described in subsection (f) above shall be deposited to this fund.

(Source: Amended at 19 Ill. Reg. 7582, effective MAY 26 1995)

Section 1400.147 Rules and Guidelines Applicable to the State Guarantee Program for Restructuring Agricultural Debt

- a) General Description of Program. The State Guarantee Program ("SGP") is intended to provide farmers who are experiencing financial difficulties caused by high interest rates and low commodity prices with a debt restructuring schedule to consolidate and spread out existing debt over a longer term at a reduced interest rate so that farmers will be able to continue existing farming operations. The provisions of this Section 1400.147 of this Part are applicable only to the SGP, and the provisions of Sections 1400.130 and 1400.140 of this Part are inapplicable to the SGP and procedures provided for pursuant to this Section.
- b) Definitions Applicable to the SGP only.

"Applicant" means a farmer whose application for a State Guarantee has been submitted to the Authority by a lender.

"Asset" includes, but is not limited to, the following: cash crops or feed on hand; livestock held for sale; breeding stock; marketable bonds and securities; securities not readily marketable; accounts receivable; notes receivable; cash invested in growing crops; net value of life insurance; machinery and equipment; cars and trucks; farm and other real estate including life interest in trusts; government payments or grants; and any other assets.

"Current Outstanding" means on the date of the application for any State Guarantee.

"Current Status" means the absence of any arrearages in any previously incurred debt for which a State Guarantee is sought.

"Debt to Asset Ratio" means the current outstanding liabilities of the farmer divided by the current outstanding assets of the farmer. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

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"Farmer" means a resident of Illinois, who is a principal operator of a farm or land, at least 50% of whose gross annual income is derived from farming and whose debt to asset ratio shall not be less than 40%. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

"Fund" means the Illinois Agricultural Loan Guarantee Fund, which is the State's fund to cover losses resulting from defaults on State Guarantee loans. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

"Gross Annual Income" means income as defined in Section 61 of the Internal Revenue Code (26 U.S.C. 61).

"Liability" includes, but is not limited to, the following: accounts payable; notes or other indebtedness owed to any source; taxes; rent; amounts owed on real estate contracts or real estate mortgages; judgments accrued; interest payable; and any other liability. (Ill. Rev. Stat. 1991, ch. 5, par. 1202) [20 ILCS 3605/2]

"State Guarantee" means a note for which the State of Illinois shall be liable for 85% of the total principal and interest of the note as determined by the Authority.

c) Eligible Farmers. To qualify for participation in the SGP, each farmer must:

- 1) maintain his principal residence in the State;
- 2) be at least eighteen (18) years of age at the time of application;
- 3) be the principal operator of the farming business for which the funds guaranteed by the SGP are contemplated to be used;
- 4) be able to show, based upon his/her most recent Federal Income Tax Return and current data, that at least 50% of his/her annual gross income is derived from farming;
- 5) have a debt to asset ratio of not less than 40% and not greater than 65%;
- 6) provide sufficient collateral to secure the State Guarantee and agree to keep the State Guarantee adequately collateralized in the future;
- 7) certify and agree that he/she will only use the State Guarantee to consolidate and restructure existing farming debts.

d) Limitations.

- 1) No State Guarantee shall exceed \$300,000 per farmer or farming operation.
- 2) Each State Guarantee shall be set up on a payment schedule not to exceed 30 years, but shall be no longer than 10 years in duration.
- 3) Only one State Guarantee shall be outstanding per made-to-any-one farmer at any one time. [Ill. Rev. Stat. 1991, ch. 5, par. 1212.1] [20 ILCS 3605/12.1]

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- 4) Only one State Guarantee shall be made for any one farming operation. If applicants file separate Schedule F's for their Federal Income Tax Returns, then they will be considered to operate separate farming operations.

e) Application Procedures and Review.

- 1) Lenders interested in the SGP must complete a Letter of Interest and return it to the Authority's office in Springfield, Illinois. After the Letter of Interest has been received by the Authority, the lender will be placed on the mailing list for the SGP.
- 2) The lenders shall apply (on forms approved and provided by the Authority) for State Guarantees to the Authority. The application shall, at a minimum, contain the farmer's name, address, present credit and financial information, including cash flow statements, financial statements, balance sheets, and any other information pertinent to the state guarantee. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]
- 3) After approval of the application and receipt of the documentation necessary prior to closing the loan, the Authority shall send a State Guarantee Closing Documents package to the lender containing all the appropriate forms and documents to the execute. Upon completion of all such forms and documents by the applicant, lender and Authority, the State Guarantee loan will be considered closed.
- 4) The lender shall certify that all the information contained on the application and other submitted documents is correct, and shall be liable to the Authority for any damages suffered by any incorrect or untrue statement contained in any certified application.
- 5) The application period for the SGP shall commence immediately upon the determination that these Rules are properly filed with the office of the Secretary of State, and end when the Authority has issued State Guarantees equal to \$160,000,000 or at any later time as may be set from time to time by legislative extension.
- 6) Following submission of the Guarantee application by the lender, the Authority shall review the application. The Authority's review shall include, but will not be limited to, whether the applicant is an eligible farmer and whether the lender has complied with the requirements of subsection (f) of this Section. The Authority will base its evaluation on collateral, percentage of loan, debt to asset ratio, cash flow, etc.
- 7) When a State Guarantee application is submitted to the Authority, the Executive Director shall review the application to determine whether it is complete and whether it meets the criteria established by the Act and this Part:
 - A) If the Executive Director determines that the loan application is incomplete, he or she shall, within fourteen (14) days of such determination, inform the lender and the applicant of such determination, and detail the information

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or material that is necessary to complete the application. For the purposes of subsection (j) of this Section, no application shall be deemed complete until the lender or applicant has provided the additional information or material requested by the Executive Director.

B) When the Executive Director has completed his or her review of the Guarantee application, he or she shall present the application, with a statement of recommended action to the Board at its next regularly scheduled meeting. The Executive Director will base the review on collateral, percentage of loan, debt to asset ratio, cash flow, etc.

8) The Board shall review each loan application presented by the Executive Director in accordance with the provision of the Act and this Part, and the Board shall:

- A) approve the application and provide the Guarantee, pursuant to the Act and this Part; or
 - B) deny the application and serve upon the lender and applicant a written statement of the grounds of the denial.
- 9) Each applicant shall pay a \$300 application fee which will be submitted to the lender at the time of the application. At the time the loan is made, the applicant may be required to pay a closing fee not greater than 3/4 of 1% of the State Guarantee which may be used to pay for administrative expenses incurred by the lender and the Authority. Of this 3/4 of 1% closing fee, the Authority shall receive 1/2% to cover administrative and legal expenses and the lender shall receive 1/4% to cover administrative expenses in completing the application packet and closing documents. The 3/4 of 1% closing fee may be included in the State Guarantee Loan amount. The Authority shall credit the \$300 application fee against the closing fee. The lender shall charge no fees or points in addition to those outlined herein. The applicant shall be responsible for paying any fees or charges involved in recording mortgages, releases, financing statements, insurance for secondary market issues and any similar fees necessary for closing and maintaining the State guarantee or selling it into the secondary market. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

10) If the application is denied, the applicant and the lender may file a Request for Reconsideration stating reasons why the Board should withdraw its denial of the application and approve the State Guarantee. This Request for Reconsideration must be filed with the Authority not later than 21 days after such denial. The Request for Reconsideration should be accompanied by supporting documents and/or information not previously considered by the Board. The Board shall review the Request for Reconsideration at its next scheduled meeting, and shall either approve the application or deny the Request for Reconsideration. The applicant will have the opportunity to present new relevant facts

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on his previous denial to the Board, and if such facts will establish eligibility, the Request will be granted. A denial of a Request for Reconsideration shall be final. While a Request for Reconsideration is pending, the application shall be deemed complete for the purposes of subsection (j) of this Section.

f) Provision or Renewal of State Guarantees. The Authority shall provide or renew a State Guarantee to any lender if, in addition to meeting the other criteria described in the Act and this Part, the lender:

- 1) agrees to bring the farmer's debt to a current status at the time the State Guarantee is provided;
- 2) Charges a fixed or adjustable interest rate which is below the market rate of interest generally available to the borrower. The market rate of interest is that rate which would be charged by the same lender for the same project without the State Guarantee. If both the lender and the applicant agree, the interest rate on the State Guarantee loan can be converted to a fixed interest rate at any time during the term of the loan;
- 3) agrees to pay to the Authority an annual fee equal to 25 basis points on the loan and any other necessary and ordinary administrative expenses in excess of the 25 basis points as determined from time to time pursuant to the Act and this Part;
- 4) agrees to complete and certify that, to the best of the lender's knowledge, all information is true and correct on the application, balance sheets, security analysis, cash flow projection and any other documents that the Authority may request;
- 5) identifies collateral acceptable to the Authority in accordance with subsection (h) that is at least equal to the State guarantee loan request;
- 6) assumes all responsibility and costs for pursuing legal action on collecting any loan that is delinquent or in default subject to consulting the Authority;
- 7) assumes responsibility for and agrees to absorb the first 15% loss of the outstanding principal of the note for which the State guarantee has been applied;
- 8) assumes responsibility for proceeding with the collecting and disposing of collateral on the State Guarantee within 14 months of the date that the loan is declared delinquent; provided, however, that the lender shall not collect or dispose of collateral on the State Guarantee without the express written prior approval of the Authority. Approval shall be granted if the collateral is disposed of in a reasonably commercial manner, based on the manner, time and place of the sale, the purchase price and the purchaser. In the event that the lender fails to dispose of the collateral within 14 months, the lender shall repay to the State interest on the State Guarantee at the same rate as the lender charges on the loan; provided, however, that the Authority shall extend the 14-month period for a lender in

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the case of bankruptcy or extenuating circumstances which prevent the lender from liquidating the collateral. The lender shall repay this interest to the State until the collateral for the State Guarantee has been liquidated and the State has been reimbursed. If the lender fails to repay the State the interest as outlined herein, the Authority shall turn the matter over to the Attorney General's office for appropriate legal action;

- 9) agrees that the Authority has final approval on the sale of all collateral for the State Guarantee. After the sale of collateral, the State shall be reimbursed 85% of the remaining principal amount of the State Guarantee loan. If funds from the sale of collateral remain after this payment, the lender shall be reimbursed 15% of the remaining principal amount of the loan. If excess funds remain after paying the remaining principal to the State and lender, then the State and lender shall be repaid interest on a prorated basis; 85% of such excess funds shall be allocated to the State's portion and 15% shall be allocated to the lender's portion. If excess funds exist after repaying both the State and the lender, they shall be paid back to the farmer. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

g) Annual Review.

- 1) The lender and the Authority shall each, on an annual basis, review State Guarantees for any purpose including, but not limited to, present collateral value; timeliness of payments made by the farmer or any other purposes reasonably calculated to aid in determining the farmer's present and projected repayment capacity. If the Authority determines that the existing collateral is insufficient to cover the State's liability, additional collateral may be required. If the applicant fails to pledge such additional collateral, the State Guarantee loan may be called.

- 2) No State Guarantee shall be called by the lender or Authority during the first 3 years of the date on which the application is closed for any reason except defaults on payments or insufficient collateral.

- 3) Except as otherwise provided in the Act or this Part, a State Guarantee may be called by the lender or Authority upon a 90-day written notice to all parties specifying the reasons for such call (e.g., submission of false documentation, changing loan documents, and change of state residency).

- 4) After the first 3 years of the SGP, the lender may review and withdraw or continue with the SGP. If a lender undertakes such a review, it must provide all parties with written notification of its decision whether to withdraw or continue. Such notification must be provided on or before the date on which payment is due. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605/12.1]

- 5) The applicant must make all payments on the State Guarantee within 90 days of the stated payment date. Failure to make

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payments on or before their due date shall render the loan delinquent. Notice of this delinquency shall immediately be sent to all parties. If the loan remains delinquent for a period of 90 days, the total outstanding principal and interest shall become due and payable immediately on the entire State Guarantee Loan. The State Guarantee cannot be reinstated after the 90-day delinquency period.

- h) Valuation of Collateral. The value of collateral shall be determined by a qualified farmland appraiser. A qualified appraiser is one who is qualified by virtue of membership in the Illinois Society of Farm Managers and Appraisers, or one whose qualifications have been reviewed by the Authority. The Authority shall have final authority to determine whether the collateral is sufficient to cover the State's liability and may appoint an independent appraiser to aid in its determination on the sufficiency of collateral. The Authority will view real estate as the primary collateral on SGP loans, with machinery and equipment and breeding livestock to be used as secondary collateral, except where no real estate is available. Collateral value may be reviewed each year by the lender or an independent appraiser appointed by the Authority. The Authority may, among other things, take a mortgage or lien on land or other assets to cover the State's liability. Collateral may be transferred only upon written approval by the Authority and the lender.

- i) Fund. To implement and carry out the objectives of the SGP, the Fund has been created as a special Fund outside of the State Treasury.

- 1) The Authority may request transfer of not more than \$45,000,000 to the Fund during the SGP, to secure State Guarantees issued pursuant to this Section. Any amount transferred from the Fund to the General Revenue Fund under powers granted to the Governor by Public Act 87-14 shall not be considered in determining if the maximum of \$45,000,000 has been transferred into the Fund.

- 2) In no event will the State be liable for more than \$45,000,000 to secure State Guarantees issued pursuant to this Section.

- 3) If a farmer defaults on a loan secured by a State Guarantee, after 90 days of delinquency the lender shall request payments on the loan to be made by the fund. The Authority shall direct a single payment equal to 85% of the remaining principal plus interest at the set rate from the date of delinquency until the date of payment by the Authority.

- 4) The Fund shall be reimbursed for any amount paid under this subsection upon liquidation of collateral which the lender shall seize and convert to cash in a reasonably commercial manner. (Ill. Rev. Stat. 1991, ch. 5, par. 1212.1) [20 ILCS 3605.12.1]

- j) Priority of Applications. Applications shall be processed by the Authority on a first come, first served basis, based upon the receipt of all completed documents by the Authority.

- k) Guarantors and Additional Collateral. An applicant for a State Guarantee Loan may have a guarantor co-sign the note and/or pledge

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additional collateral for the State Guarantee Loan if the lender and Authority determine that the applicant alone cannot provide sufficient collateral for the State Guarantee.

- 1) The State Guarantee. In the event of default, the Authority shall make payment on the State Guarantee of 85% of the outstanding principal and interest owed on the State Guarantee Loan to the holder of the State Guarantee. The payment shall be made by the Authority to the holder of the State Guarantee within 30 days after an appropriate request by a lender certifying that the 90-day delinquency period has elapsed. The payment shall include 85% of past due interest and 85% of the remaining principal.
- m) Prepayment of Loans. Each loan shall be paid on an annual basis with one payment due each year on the date on which the loan was closed for a period of ten years or until the loan is repayed, whichever occurs first. The State Guarantee Loan may be prepaid in full or in part at any time the loan is outstanding without penalty.
- n) Assumption of Loans. No State Guarantee Loan may be assumed by any entity unless specifically authorized by the Authority. Such authorization will be granted only in extraordinary cases (e.g., death or serious illness of the applicant with assumption by an immediate family member).
- o) Total Obligations through the SGP. The Authority shall have outstanding guarantees in an aggregate principal amount up to \$160,000,000 through the SGP. The Illinois Agriculture Loan Guarantee Fund shall be funded with \$45,000,000 to cover any losses.

(Source: Amended 19 Ill. Reg. 7582, effective MAY 26 1995)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED RULES

- 1) Heading of the Part: Dietetic and Nutrition Services Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1245
- 3) Section Numbers: Adopted Action:

1245.10	New Section
1245.100	New Section
1245.110	New Section
1245.120	New Section
1245.130	New Section
1245.140	New Section
1245.150	New Section
1245.200	New Section
1245.210	New Section
1245.220	New Section
1245.230	New Section
1245.240	New Section
1245.250	New Section
1245.300	New Section
1245.320	New Section
1245.340	New Section
- 4) Statutory Authority: Implementing the Dietetic and Nutrition Services Practice Act [225 ILCS 30].
- 5) Effective Date of Rules: May 26, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these Rules contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: May 26, 1995
- 9) Date Notice of Proposal Published in Illinois Register: December 9, 1994, at 18 Ill. Reg. 17408.
- 10) Has JCAR issued a Statement of Objections to these Rules? No
- 11) Difference(s) between proposal and final version: A requirement that an applicant's experience be supervised experience will be effective July 1, 1995, instead of January 1, 1995. Numerous nonsubstantive changes also were made, involving drafting, style and organization to improve clarity.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Rules replace emergency rules currently in effect? No

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- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rules: Public Act 87-784, effective January 1, 1992, provides for the licensure of dietitians and nutrition counselors by the Department of Professional Regulation. The General Assembly provided funding for FY 1995 to implement the Act. When adopted, these rules will allow the Department to begin processing licensure applications.

- 16) Information and questions regarding this adopted part shall be directed to:

Department of Professional Regulation
 Attention: Jean Courtney
 320 West Washington, 3rd Floor
 Springfield, IL 62786
 (217) 785-0800 or Fax: 217 (782-7645)

The full text of the Adopted Rules begins on the next page:

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NOTICE OF ADOPTED RULES

TITLE 68: PROFESSIONS AND OCCUPATIONS
 CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
 SUBCHAPTER B: PROFESSIONS AND OCCUPATIONS

PART 1245

DIETETIC AND NUTRITION SERVICES PRACTICE ACT

SUBPART A: DEFINITIONS

Section
 1245.10 Definitions

SUBPART B: DIETITIAN

Section
 1245.100 Application for Licensure as a Dietitian Under Section 60(a) of the Act (Grandfather)

1245.110 Application for Examination/Licensure

1245.120 Examination

1245.130 Approved Programs in Dietetics

1245.140 Experience

1245.150 Endorsement

SUBPART C: NUTRITION COUNSELOR

Section
 1245.200 Application for Licensure as a Nutrition Counselor Under Section 60(b) of the Act (Grandfather)

1245.210 Application for Examination/Licensure

1245.220 Examination

1245.230 Approved Programs of Nutrition Counselors

1245.240 Experience

1245.250 Endorsement

SUBPART D: GENERAL

Section
 1245.300 Renewal

1245.320 Inactive Status

1245.340 Granting Variances

AUTHORITY: Implementing the Dietetic and Nutrition Services Practice Act [225 ILCS 30] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105.60(7)].

SOURCE: Adopted at 19 Ill. Reg. 7598 effective
 MAY 26 1995

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SUBPART A: DEFINITIONS

Section 1245.10 Definitions

"Act" means the Dietetic and Nutrition Services Practice Act (P.A. 87-784, effective January 1, 1992) [225 ILCS 30].

"Board" means the Dietetic and Nutrition Services Practice Board.

"Department" means the Department of Professional Regulation.

"Director" means the Director of the Department of Professional Regulation.

"Direct Supervision" means supervision by a licensed dietitian, licensed nutrition counselor or other appropriate supervisor as defined in Sections 1245.140 and 1245.240. The supervisor shall:

Meet at regularly scheduled sessions with the supervisee a minimum of one hour each week;

Be responsible for the standard of work performed by the individual under supervision; and

Have knowledge of patients/clients and the case information.

"Licensed dietitian" means a person licensed by the Department to practice dietetics as defined in Section 10 of the Act. Dietetics includes all aspects of nutrition care for individuals and groups, including, but not limited to, nutrition assessment, nutrition counseling, nutrition education, nutrition services and medical nutrition care. Activities of a licensed dietitian do not include the medical differential diagnoses of the health status of an individual.

"Licensed nutrition counselor" means a person licensed by the Department to provide nutrition services as defined in Section 10 of the Act. Nutrition services include, but are not limited to, nutrition assessments, nutrition education and nutrition counseling. Activities of a licensed nutrition counselor do not include medical nutrition care and do not include the medical differential diagnoses of the health status of an individual.

"Medical nutrition care" means the component of nutrition care that deals with interpreting and recommending nutrient needs relative to medically prescribed diets, including, but not limited to, tube feedings, specialized intravenous solutions and specialized oral feedings; food and prescription drug interactions; and developing and

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managing food service operations whose chief function is nutrition care and providing medically prescribed diets.

"Registered dietitian" means a person registered with the Commission on Dietetic Registration.

SUBPART B: DIETITIAN

Section 1245.100 Application for Licensure as a Dietitian Under Section 60(a) of the Act (Grandfather)

- a) Any person seeking a license without examination under Section 60(a) of the Dietetic and Nutrition Services Practice Act (the Act) shall file an application with the Department, on forms provided by the Department. The application shall be postmarked no later than December 31, 1995, and shall include the following:
- 1) Verification of:
 - A) current registration as a Registered Dietitian from the Commission on Dietetic Registration, the accrediting body for the American Dietetic Association, and verification of in Illinois; or
 - B) employment in the practice of dietetics, as defined in Section 10 of the Act, in Illinois for at least 3 of the last 5 years prior to January 1, 1992, for a minimum of 20 hours per week and certification of education and an official transcript from:
 - i) A baccalaureate or post baccalaureate program in human nutrition, foods and nutrition, dietetics, food systems management or nutrition education from a school or program accredited by an accrediting agency recognized by the Commission on Recognition of Post-Secondary Accreditation (CORPA) and the United States Department of Education; or
 - ii) A baccalaureate degree or post baccalaureate degree in an equivalent major course of study recommended by the Board and approved by the Department in accordance with Section 1245.130 of this Part;
 - 2) A complete work history since graduation from a baccalaureate program;
 - 3) The required fee set forth in Section 85(a) of the Act; and
 - 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license; and
 - B) Whether the file on the applicant contains any record of

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- disciplinary actions taken or pending.
- b) Practice or employment in dietetics shall be documented by one or more of the following:
- 1) Certification of experience, on forms provided by the Department, signed by an employer; or
 - 2) Three affidavits submitted by clients, peers or colleagues familiar with the applicant's work.
- c) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

Section 1245.110 Application for Examination/Licensure

- a) An applicant for examination to obtain licensure as a dietitian shall file an application, on forms provided by the Department, at least 90 days prior to the examination date. The application shall include:
- 1) Certification of education and an official transcript indicating the applicant holds one of the following:
 - A) A baccalaureate degree or post baccalaureate degree in human nutrition, foods and nutrition, dietetics, food systems management or nutrition education from a school or program accredited by an accrediting agency recognized by the Commission on Recognition of Post-Secondary Accreditation and the United States Department of Education; or
 - B) A baccalaureate degree or post baccalaureate degree in an equivalent major course of study recommended by the Board and approved by the Department in accordance with Section 1245.130 of this Part;
 - 2) Verification of 900 hours of experience, on forms provided by the Department:
 - A) Prior to July 1, 1995, an applicant shall document 900 hours of employment as a dietitian;
 - B) Experience earned after July 1, 1995, shall be supervised experience as defined in Section 1245.140 of this Part;
 - 3) A complete work history;
 - 4) The required fee set forth in Section 85 of the Act; and
 - 5) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of

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- the license;
- A) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) In lieu of the subsection (1) and (2) above an applicant for licensure as a dietitian who at the time of application has maintained a "registered dietitian" designation from the Commission on Dietetic Registration shall submit a copy of his/her current registration from the Commission. The applicant will not be required to take the examination set forth in Section 1245.120.
- c) If an applicant for licensure is not a registered dietitian but has taken and passed the dietetic examination given through the Commission on Dietetic Registration within 12 months before applying for licensure, the applicant shall not be required to retake the exam. The examination scores shall be submitted to the Department directly from the testing entity.
- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.
- e) An applicant who has filed a completed application with the Department may work under direct supervision as defined in Section 1245.10 of this Part.

Section 1245.120 Examination

- The examination for licensed dietitians shall be the dietetic examination given through the Commission on Dietetic Registration.
- The passing score on the examination shall be the passing score of the testing entity.
- Applicants who fail the examination 3 times in Illinois or any other jurisdiction shall be required to submit proof to the Department of the completion of 6 semester hours of dietetic course work as set forth in Section 1245.130(a)(6) prior to sitting for the examination a fourth time. An individual who has failed the examination 3 times shall be allowed to work under the direct supervision of a licensed dietitian or other appropriate supervisor as defined in Section 1245.110.

Section 1245.130 Approved Programs in Dietetics

- The Department of Professional Regulation shall approve a program if it meets the following minimum criteria:

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- 1) Is accredited by an agency recognized by the Commission on Recognition of Post-Secondary Accreditation and the United States Department of Education, or is a foreign program that has been validated by an accrediting agency approved by the U.S. Department of Education as offering a degree equivalent to the baccalaureate or post baccalaureate degree conferred by a regionally accredited college or university in the United States;
- 2) Has a sufficient number of full-time instructors to assure that educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions;
- 3) Has a designated program director;
- 4) Maintains permanent student records which summarize the credentials for admission, attendance, grades and other records of performance;
- 5) Grants a baccalaureate or post baccalaureate degree in human nutrition, foods and nutrition, dietetics, food systems management or nutrition education; or
- 6) Offers a baccalaureate or post baccalaureate degree with a major course of study that includes all of the following course work:
 - A) Biological Sciences - 9 semester hours (must include human anatomy and physiology or the equivalent, and microbiology or the equivalent);
 - B) Chemistry - 6 semester hours (must include biochemistry or the equivalent);
 - C) Behavioral Sciences - 6 semester hours (such as psychology, sociology, counseling or educational psychology);
 - D) Management - 6 semester hours (must include food service management, institutional management or the equivalent); and
 - E) Foods and Nutrition - 25 semester hours (must include):
 - i) Diet therapy, medical dietetics, clinical nutrition or the equivalent;
 - ii) Nutrition through the life cycle, applied human nutrition, advanced human nutrition or the equivalent; and
 - iii) Food science or the equivalent.
- b) The Department, upon recommendation of the Board, has determined that dietetic programs approved by the Commission on Dietetic Registration are approved.
- c) Individuals who are deficient in any of the courses set forth in subsection (a)(6) above may complete those courses in an approved program.

Section 1245.140 Experience

- a) A minimum of 900 hours of experience in dietetics as defined in Section 10 of the Act completed within 5 years is required for

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licensure as a dietitian under Section 45 of the Act. The experience shall have been received from a supervisor(s) who at the time supervision took place, was one of the following:

- 1) A "registered dietitian" with the Commission on Dietetic Registration;
- 2) A licensed dietitian;
- 3) A practitioner (such as, but not limited to, a licensed physician or registered nurse) whose license includes nutrition care;
- 4) An individual with a doctoral degree conferred by a U.S. regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, dietetics or food systems management; or
- 5) An individual who obtained a doctoral degree outside the U.S. and its territories must have the degree validated as equivalent to the doctoral degree conferred by a U.S. regionally accredited college or university.
- b) After January 1, 1996, an individual shall have at least 3 years of experience in dietetics in order to supervise practice experience.
- c) Supervised practice experience must be completed in the United States or its territories.
- d) The supervisor shall observe, supervise and assess the applicant.
- e) The experience must be under direct supervision as defined in Section 1245.10 and documented by the supervisor as satisfactory or better.
- f) The supervised experience may be obtained prior to, concurrently or following the completion of the education requirements.
- g) The experience shall be completed prior to filing an application with the Department for licensure/examination.
- h) The Department, upon recommendation of the Board, has determined that internships approved by the American Dietetic Association meet the experience requirements set forth in this Section.

Section 1245.150 Endorsement

- a) An applicant who is licensed/registered under the laws of another state or territory of the United States or of a foreign country and who wishes to be licensed in Illinois as a dietitian shall file an application with the Department, on forms provided by the Department, which includes:
 - 1) Certification of education and an official transcript from a baccalaureate or post baccalaureate degree program in human nutrition, foods and nutrition, dietetics, food systems management or nutrition education from a school or program accredited by an accrediting agency recognized by the Commission on Recognition of Post Secondary Accreditation, or in an equivalent major course of study recommended by the Board and approved by the Department in accordance with Section 1245.130(a) of this Part;

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- 2) Certification of at least 900 hours of supervised or internship experience as set forth in Section 1245.140 of this Part;
 - 3) Certification from the state or territory of the United States or the foreign country in which the applicant was originally licensed/registered and any location in which the applicant predominantly practices and is currently licensed/registered, stating:
 - A) The time during which the applicant was originally licensed/registered;
 - B) Whether the file of the applicant contains any record of disciplinary actions taken or pending; and
 - C) Examination(s) taken and examination score(s) received;
 - 4) A complete work history since graduation from a baccalaureate or post baccalaureate program; and
 - 5) The required fee as set forth in Section 85(d) of the Act.
- b) In lieu of the documents in subsections (a)(1) and (2) above, the applicant may submit a current registration as a "registered dietitian" from the Commission on Dietetic Registration.
- c) An applicant for licensure as a dietitian who is registered/licensed under the laws of another state or territory of the United States or of a foreign country or is a registered dietitian may practice dietetics in this State until:
- 1) The expiration of 6 months after the filing of the written application;
 - 2) The withdrawal of the application; or
 - 3) The denial of the application by the Department.
- d) The applicant shall have the license issued or be notified in writing of the reason for denying the application.

SUBPART C: NUTRITION COUNSELOR

Section 1245.200 Application for Licensure as a Nutrition Counselor Under Section 60(b) of the Act (Grandfather)

- a) Any person seeking a license without examination under Section 60(b) of the Dietetic and Nutrition Services Practice Act shall file an application with the Department, on forms provided by the Department. The application shall be postmarked no later than December 31, 1995, and shall include the following:
 - 1) Verification of employment as a provider of nutrition services in Illinois for remuneration for at least 3 of the last 5 years prior to January 1, 1992, for a minimum of 20 hours per week. Employment shall be documented by one or more of the following:
 - A) Certification of experience, on forms provided by the Department, signed by an employer; or
 - B) Three affidavits submitted by clients, peers or colleagues familiar with the applicant's work;
- 2) Evidence of meeting a level of competency as required in Section

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60(b) of the Act. Evidence shall include at least one of the following:

- A) Submission of a certification of education, on forms provided by the Department, and an official transcript from a baccalaureate degree or post baccalaureate degree in human nutrition, food sciences, home economics, biochemistry, physiology, public health, or an equivalent major course of study as set forth in Section 1245.230 from a school or program accredited at the time of graduation by an accrediting agency recognized by the Commission on Recognition of Post-Secondary Accreditation and the United States Department of Education; or
 - B) Verification of licensure: Doctor of Chiropractic (D.C.), Doctor of Naprapathy (D.N.), Medical Doctor (M.D.) or Doctor of Osteopathy (D.O.), Registered Professional Nurse (R.N.); or
 - C) Verification of current registration as a Certified Clinical Nutritionist (CCN), proof of passage of the CCN examination from the International and American Association of Clinical Nutritionists and a baccalaureate or post baccalaureate degree from a regionally accredited institution; or
 - D) Verification of practicing nutrition counseling for at least 15 years for remuneration; or
 - E) Proof of a current registration from the Certification Board for Nutrition Specialists with the American College of Nutrition;
- 3) A complete work history;
 - 4) The required fee set forth in Section 85(a) of the Act; and
 - 5) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant is currently licensed, if applicable, stating:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of original issuance of the license;
 - B) A description of the examination in that jurisdiction; and
 - C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking licensure shall be requested to:
- 1) Provide such information as may be necessary; and/or
 - 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

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Section 1245.210 Application for Examination/Licensure

- a) An applicant for examination to obtain licensure as a nutrition counselor shall file an application, on forms provided by the Department, at least 90 days prior to the examination date. The application shall include:

1) Certification of education, on forms provided by the Department, and an official transcript indicating the applicant holds one of the following:

- A) A baccalaureate degree or post baccalaureate degree in human nutrition, food sciences, home economics, biochemistry, physiology or public health granted from a school or program accredited by an accrediting agency recognized by the Commission on Recognition of Post-Secondary Accreditation and the United States Department of Education; or
- B) A baccalaureate degree or post baccalaureate degree in an equivalent major course of study recommended by the Board and approved by the Department in accordance with Section 1245.230 of this Part;

2) Verification of 900 hours of experience, on forms provided by the Department:

- A) Prior to July 1, 1995, an applicant shall document 900 hours of employment as a nutrition counselor;
- B) Experience earned after July 1, 1995, shall be supervised experience as defined in Section 1245.240 of this Part;

3) A complete work history since graduation from a baccalaureate program;

4) The required fee set forth in Section 85 of the Act; and

5) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant is currently licensed, if applicable, stating:

- A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
- B) A description of the examination in that jurisdiction; and
- C) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) An applicant who has filed a completed application with the Department may work under direct supervision as defined in Section 1245.10 of this Part.

Section 1245.220 Examination

- a) The examination for licensed nutrition counselors shall be administered by the Department and provided by the Certification Board for Nutrition Specialists with the American College of Nutrition.
- b) The passing score on the examination shall be the passing score of the

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testing entity.

- c) Applicants who fail the examination 3 times in Illinois or any other jurisdiction shall be required to submit proof to the Department of the completion of 6 semester hours of nutrition course work as set forth in Section 1245.230(a)(6) prior to sitting for the examination a fourth time. An individual who has failed the examination 3 times shall be allowed to work under the direct supervision of an appropriate supervisor as defined in Section 1245.240(a).

Section 1245.230 Approved Programs of Nutrition Counselors

The Department of Professional Regulation shall approve a program if it meets the following minimum criteria:

- a) Is accredited by an agency recognized by the Commission on Recognition of Post-Secondary Accreditation and the United States Department of Education, or is a foreign program that has been validated by an accrediting agency approved by the U.S. Department of Education as offering a degree equivalent to the baccalaureate or post baccalaureate degree conferred by a regionally accredited college or university in the United States;
- b) Has a sufficient number of full-time instructors to assure that educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by appropriate degrees in their area(s) of teaching from professional colleges or institutions;
- c) Has a designated program director;
- d) Maintains permanent student records which summarize the credentials for admission, attendance, grades and other records of performance; and
- e) Either:
- 1) Grants a baccalaureate or post baccalaureate degree in human nutrition, food sciences, home economics, biochemistry, physiology or public health; or
 - 2) Offers a baccalaureate or post baccalaureate degree with a major course of study that includes all of the following course work:
 - A) Foods and Nutrition - 12 semester hours must include:
 - i) Principles of human nutrition or the equivalent;
 - ii) Principles of food preparation or the equivalent; and
 - iii) Nutrition through the life cycle, applied human nutrition, advanced human nutrition or the equivalent;
 - B) Management - 3 semester hours (such as food service or health systems) or the equivalent;
 - C) Education - 3 semester hours (methods of education, student teaching or the equivalent course work);
 - D) Behavioral Science - 3 semester hours (such as psychology, sociology, counseling or educational psychology) or the equivalent;
 - E) Organic Chemistry or Biochemistry - 3 semester hours or the

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- equivalent; and
- F) Human Anatomy and Physiology - 3 semester hours or the equivalent.
- f) Individuals who are deficient in any of the courses set forth in subsection (e)(2) above may complete those courses in an approved program.

Section 1245.240 Experience

- a) A minimum of 900 hours of experience in nutrition services as defined in Section 10 of the Act completed within 5 years is required for licensure as a nutrition counselor under Section 50 of the Act. The experience shall have been received from an individual(s) who, at the time supervision took place, was one of the following:

- 1) A licensed nutrition counselor;
 - 2) A "registered dietitian" with the Commission on Dietetic Registration;
 - 3) A licensed dietitian;
 - 4) A practitioner (such as, but not limited to, a licensed physician or registered nurse) whose license includes nutrition care;
 - 5) An individual with a doctoral degree conferred by a U.S. regionally accredited college or university with a major course of study in human nutrition, nutrition education, food and nutrition, public health, dietetics or food systems management; or
 - 6) An individual who obtained a doctoral degree outside the United States and its territories that is equivalent to a major course of study in human nutrition, nutrition education, food and nutrition, public health, dietetics or food systems management must have the degree validated as equivalent to the doctoral degree conferred by a U.S. regionally accredited college or university.
- b) After January 1, 1996, an individual shall have at least 3 years of experience in nutrition services in order to supervise practice experience.
- c) Supervised practice experience must be completed in the United States or its territories.
- d) The supervisor shall observe, supervise and assess the applicant.
- e) The experience shall be under direct supervision as defined in Section 1245.10 and shall be documented by the supervisor as satisfactory or better.
- f) The supervised experience may be obtained prior to, concurrently or following the completion of the education requirements.
- g) The experience shall be completed prior to filing an application with the Department for licensure/examination.

Section 1245.250 Endorsement

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- a) An applicant who is registered/licensed under the laws of another state or territory of the United States or of a foreign country and who wishes to be licensed in Illinois as a nutrition counselor shall file an application with the Department, on forms provided by the Department, which includes:

- 1) Certification of a baccalaureate degree or post baccalaureate degree in human nutrition, food sciences, home economics, biochemistry, physiology or public health from a school or program accredited by an accrediting agency recognized by the Commission on Recognition of Post Secondary Accreditation, or in an equivalent major course of study recommended by the Board and approved by the Department in accordance with Section 1245.230 of this Part;
 - 2) Certification of at least 900 hours of experience in accordance with Section 1245.240 of this Part;
 - 3) Certification from the state or territory of the United States or the foreign country in which the applicant was originally licensed/registered and any location in which the applicant is currently licensed/registered, stating:
 - A) The time during which the applicant was originally licensed/registered;
 - B) Whether the file of the applicant contains any record of disciplinary actions taken or pending; and
 - C) Examination(s) taken and examination score(s) received;
 - 4) A complete work history; and
 - 5) The required fee as set forth in Section 85(d) of the Act.
- b) An applicant for licensure as a nutrition counselor who is registered/licensed under the laws of another state or territory of the United States or of a foreign country may practice in this State until:
- 1) The expiration of 6 months after the filing of the written application;
 - 2) The withdrawal of the application; or
 - 3) The denial of the application by the Department.
- c) The applicant shall have the license issued or be notified in writing of the reason for denying the application.

SUBPART D: GENERAL

Section 1245.300 Renewal

- a) The first renewal period for licenses issued under the Act shall be October 1, 1996. Thereafter, every license issued under the Act shall expire October 31 of odd-numbered years. The holder of a license may renew such license during the month preceding the expiration date by paying the required fee.
- b) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the

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Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.

Section 1245.320. Inactive Status

- a) A licensed dietitian or nutrition counselor who notifies the Department, on forms provided by the Department, may place the license on inactive status and shall be excused from paying renewal fees until he/she notifies the Department in writing of the intention to resume active practice.
- b) Any dietitian or nutrition counselor whose license is on inactive status shall not practice dietetics and shall not use the title "licensed dietitian" or "licensed nutrition counselor" in the State of Illinois. Any person violating this subsection shall be considered to be practicing without a license and shall be subject to the disciplinary provisions of the Act.

Section 1455.340 Granting Variances

- a) The Director may grant variances from these rules in individual cases where:
 - 1) The provision from which the variance is granted is not statutorily mandated;
 - 2) No party will be injured by the granting of the variance; and
 - 3) The rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.
- b) The Director shall notify the Dietetic and Nutrition Services Practice Board in writing of the granting of a variance, and the reasons therefor.

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- 1) Heading of the Part: Interior Design Profession Title Act
- 2) Code Citation: 68 Ill. Adm. Code 1255
- 3)

<u>Section Numbers:</u>	<u>Adopted Action:</u>
1255.10	Repeal
1255.15	New Section
1255.20	Amendment
1255.30	Amendment
1255.40	Amendment
1255.50	Amendment
1255.60	Amendment
1255.70	Amendment
1255.80	Amendment
- 4) Statutory Authority: Sections 4, 5, 8, 9 and 10 of the Interior Design Profession Title Act (225 ILCS 310/4, 5, 8, 9 and 10).
- 5) Effective Date of Amendments: May 26, 1995
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these Amendments contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: May 25, 1995.
- 9) Date Notice of Proposal Published in Illinois Register: March 10, 1995, at 19 Ill. Reg. 2646.
- 10) Has JCAR issued a Statement of Objections to these amendments? No.
- 11) Difference(s) between proposal and final version: Language was added as Section 1255.20(a)(2)(E) to set forth education/experience requirements for residential interior designers, clarifying that no formal interior design education beyond a high school diploma or G.E.D. is required for licensure.

Other changes involved style and form.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? No written copy of JCAR-Agency agreements on Second Notice changes was necessary for this rulemaking.
- 13) Will these Amendments replace an Emergency Amendment currently in effect? No.

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TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1255
INTERIOR DESIGN PROFESSION TITLE ACT

- Section
1255.10 Application for Registration Under Section 8(c) of the Act (Grandfather) (Repealed)
1255.15 Application for Registration as a Residential Interior Designer Under Section 8(c-5) of the Act (Grandfather)
1255.20 Application for Registration
1255.30 Approved Programs of Interior Design
1255.40 Full-time Diversified Professional Experience
1255.50 Endorsement
1255.60 Renewal
1255.70 Inactive Status
1255.80 Restoration
1255.90 Granting Variances

AUTHORITY: Implementing the Interior Design Profession Title Act [225 ILCS 310] and authorized by Section 60(7) of the Civil Administrative Code of Illinois [20 ILCS 2105/60(7)].

SOURCE: Emergency rules adopted at 15 Ill. Reg. 17411, effective November 19, 1991, for a maximum of 150 days; adopted at 16 Ill. Reg. 3194, effective February 18, 1992; amended at 19 Ill. Reg. 7614, effective MAY 26 1995.

Section 1255.10 Application for Registration Under Section 8(c) of the Act (Grandfather) (Repealed)

- a) Any person seeking registration without examination under Section 8(c) of the Interior Design Profession Title Act (P.A. 86-1404, effective July 17, 1991) (the "Act") shall file an application with the Department of Professional Regulation (the "Department") on forms provided by the Department. The application shall be postmarked no later than midnight June 30, 1992, and shall include the following:
- 1) Verification on forms provided by the Department of professional experience in interior design as defined in Section 3(c) of the Act and Section 125.40 of this Part; or
 - 2) Verification on forms provided by the Department of professional experience as defined in Section 3(c) of the Act and Section 125.40 of this Part and interior design education as set forth in Section 125.40 to equal 4 years.

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14) Are there any Amendments pending on this Part? No.

15) Summary and Purpose of Amendments: P.A. 88-650, Section 10, effective September 16, 1994, requires the Department of Professional Regulation to license residential interior designers. This rulemaking incorporates residential interior designers into the existing rules for interior designers. The new material contains application and renewal procedures, along with experience and education standards for residential interior designers.

16) Information and questions regarding this amended part shall be directed to:

Department of Professional Regulation
Jean Courtney
320 West Washington, 3rd Floor
Springfield, Illinois 62786
(217) 785-0800 or Fax: (217) 782-7645

The full text of the Adopted Amendments begins on the next page:

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- 3) A complete work history;
- 4) The required fee set forth in Section 11(a) of the Act; and
- 5) Certification on forms provided by the Department from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently registered/licensed; if applicable, stating:
- a) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the registration;
- b) A description of the examination in that jurisdiction; and
- c) Whether the file on the applicant contains any record of disciplinary actions taken or pending.
- b) Education shall be from an accredited college, school or university offering a program in interior design and include the curriculum set forth in Section 1255.30.
- c) Experience shall be documented in one or more of the following ways:
- 1) Certification of experience on forms provided by the Department;
- 2) Submission of three affidavits from clients, peers or colleagues familiar with the applicant's work;
- 3) Submission from one of the following professional interior design organizations that the applicant has an active professional status in the organization: American Society of Interior Designers (ASID); the Interior Design Society (IDS); the International Interior Designer Association (IIDA); Institute of Store Planners (ISP); and the Governing Board for Contract Interior Design Standards. The Department, upon recommendation of the Board of Interior Design Professionals (the Board), has determined that 3 years of credit toward education and experience will be granted an applicant who holds professional status in one of these organizations.
- d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking registration shall be requested to:
- 1) provide such information as may be necessary; and/or
- 2) appear for an interview before the Board to explain such relevance or sufficiency, clarify information or clear up any discrepancies or conflicts in information.

(Source: Repealed at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.15 Application for Registration as a Residential Interior Designer Under Section 8(c-5) of the Act (Grandfather)

- a) Any person seeking registration as a residential interior designer

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without examination under Section 8(c-5) of the Interior Design Profession Title Act (the Act) shall file an application with the Department of Professional Regulation (the Department) on forms provided by the Department. The application shall be postmarked no later than midnight September 16, 1995, and shall include the following:

- 1) Verification, on forms provided by the Department, of documentation of:
- a) At least 5 years of full-time, diversified professional experience in residential interior design as defined in Section 3 of the Act and Section 1255.40 of this Part; or
- b) A combination of full-time, diversified professional experience as defined in Section 3 of the Act and Section 1255.40 of this Part and interior design education as set forth in Section 1255.30 to equal 5 years;
- 2) A complete work history;
- 3) The required fee set forth in Section 11(a) of the Act; and
- 4) Certification, on forms provided by the Department, from the state or territory of the United States in which the applicant was originally licensed and the state in which the applicant predominantly practices and is currently registered/licensed, if applicable, stating:

a) The time during which the applicant was registered in that jurisdiction, including the date of the original issuance of the registration;

b) A description of the examination in that jurisdiction; and

c) Whether the file on the applicant contains any record of disciplinary actions taken or pending.

b) Education shall be from an accredited college, school or university offering a program in interior design and include the curriculum set forth in Section 1255.30.

c) Experience shall be documented in one or more of the following ways:

1) Certification of experience, on forms provided by the Department;

2) Submission of 3 affidavits from clients, peers or colleagues familiar with the applicant's work;

3) Submission from one of the following professional interior design organizations that the applicant has an active professional status in the organization: American Society of Interior Designers (ASID); the Interior Design Society (IDS); the International Interior Designer Association (IIDA); Institute of Store Planners (ISP); and the Governing Board for Contract Interior Design Standards. The Department, upon recommendation of the Board of Interior Design Professionals (the Board), has determined that 3 years of credit toward education and experience will be granted an applicant who holds professional status in one of these organizations.

d) When the accuracy of any submitted documentation or the relevance or sufficiency of the course work or experience is questioned by the

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Department or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking registration shall be requested to:

- 1) Provide such information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain such relevance or sufficiency, clarify information, or clear up any discrepancies or conflicts in information.

(Source: Added at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.20 Application for Registration

- a) An applicant for registration as an interior designer or a residential interior designer shall file an application, on forms provided by the Department, which includes the following:

- 1) Certification submitted to the Department from:
 - A) The National Council for Interior Design Qualifications (NCIDQ) indicating the successful completion of the NCIDQ examination for an interior design license;
 - B) The Council for Qualifications of Residential Interior Designers (CQRID) indicating the successful completion of the CQRID examination for a residential interior design license;

- 2) Proof of Education/Experience

- A) Certification of graduation and official transcripts from a 5 year interior design program as set forth in Section 1255.30 and at least 2 years of full-time diversified interior design experience as defined in Section 3(f) of the Act and Section 1250.40 of this Part; or
- B) Certification of graduation and official transcripts from an approved 4 year interior design program and at least 2 years of full-time diversified interior design experience as defined in Section 3(f) of the Act and Section 1250.40 of this Part; or
- C) Certification of completion and official transcripts of at least 3 years of interior design curriculum from an approved program and at least 3 years of full-time diversified interior design experience as defined in Section 3(f) of the Act and Section 1250.40 of this Part; or
- D) Certification of graduation and official transcripts from an approved 2 year interior design program and at least 4 years of full-time diversified interior design experience as defined in Section 3(f) of the Act and Section 1250.40 of this Part; or
- E) For a residential interior designer license, certification of a high school diploma or G.E.D. plus 5 years of full-time diversified residential interior design experience;

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- 3) A complete work history; and
 - 4) The fee required by Section 11(a)(1) of the Act.
- b) An individual who holds an active license as an architect in Illinois pursuant to the Illinois Architecture Practice Act of 1989 ~~111-Rev-Stat-1989, ch-111, par-301 et seq~~ [225 ILCS 305] shall be issued a certificate of registration as an interior designer or a residential interior designer without examination as provided in Section 8(d) of the Act upon an application to the Department upon payment of a fee of \$40.00.

(Source: Amended at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.30 Approved Programs of Interior Design

- a) The Department shall, upon recommendation of the Board, approve an interior design program if it meets the following minimum criteria:
- 1) The educational institution is/was legally recognized and authorized, through appropriate agencies such as a ministry of education or higher education governing board, by the jurisdiction in which it is located at the time of the degree/certificate was obtained to confer any of the degrees/certificates required for registration in accordance with Section 8 of the Act;
 - 2) Permanent student records are maintained by the institution which summarize the credentials for admission, attendance, grades and other records of performance;
 - 3) The program has a designated director and a sufficient number of instructors to make certain that the educational obligations to the student are fulfilled. The faculty must have demonstrated competence as evidenced by degrees in their area(s) of teaching from professional colleges or institutions;
 - 4) The curriculum is at least 2 academic years that provides educational experience with practical application encompassing:
 - A) Drafting
 - B) Two-Dimensional Design
 - C) Three-Dimensional Design
 - D) Design and Composition Fundamentals
 - E) Color Theory
 - F) Fundamentals of Residential Design
 - G) Fundamentals of Non-Residential Design
 - H) Building Systems
 - I) Materials
 - J) Codes and Ordinances
 - K) Presentation Skills
 - L) Business Practices and Management
 - M) History of Art, Architecture and Design;

- 5) A 2 year program shall include 4 or more of the above courses set

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- forth in subsection (a)(4) above and be a minimum of 60 semester hours;
- 6) A 3 year program shall include 6 or more of the above courses set forth in subsection (a)(4) above and be a minimum of 90 semester hours;
 - 7) A 4 or 5 year program shall include 8 or more of the courses set forth in subsection (a)(4) above and be a minimum of 120 semester hours.
- b) In determining whether a program should be approved, the Department shall take into consideration, but not be bound by, accreditation or approval by the Foundation for Interior Design Education Research (FIDER).
- c) The Department has determined that all interior design programs accredited or approved by FIDER as of July 1, 1991 1995, meet the minimum criteria set forth in this Section and are, therefore, approved.

(Source: Amended 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.40 Full-time Diversified Professional Experience

- a) Full-time diversified professional experience in interior design/residential interior design shall meet the minimum requirements as defined in Section 3(f) of the Act and shall be in any one or combination of the following interior design related fields:
- 1) Commercial Design
 - 2) Institutional/Educational
 - 3) Governmental
 - 4) Hospitality/Restaurant
 - 5) Facilities Management
 - 6) Residential Design
 - 7) Kitchen/Bath
 - 8) Store Planning/Retail
 - 9) Industrial/Manufacturing
 - 10) Health Care
- b) All experience shall have been acquired after completion of a minimum of 2 years of a design or interior design related education program. This subsection does not apply to applicants applying pursuant to Section 1255.15+255+19 of this part.
- c) "Full-time" experience is defined as a minimum of 1,800 hours during a 12 month period. No more than one year credit will be given in a 12 month period.
- d) "Part-time" experience is defined as a minimum of 900 hours during a 12 month period. No more than one half year credit will be given in a 12 month period.
- e) Approved professional experience consists of successful performance of work relating to interior design services or residential interior

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design services as described in Section 3(f) of the Act, verified by a supervising interior designer, architect or owner/manager in an interior design setting.

- f) One year of experience will be granted for 2 academic years of full-time teaching experience as defined by the institution in an approved interior design program. A maximum of one year of experience for teaching will be awarded. Any teaching experience claimed must be validated by an official of the school offering the design program.
- g) An applicant cannot earn more than 40 hours per week of approved experience (i.e., overtime does not qualify for additional approved experience).

(Source: Amended at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.50 Endorsement

- a) An applicant who is licensed/registered under the laws of another state or territory of the United States or of a foreign country and who wishes to register as an interior designer or residential interior designer shall file an application with the Department, on forms provided by the Department, which includes:

- 1) Certification of an interior design or residential interior design degree from a program approved by the Department in accordance with Section 1255.30 of this Part ~~ex-prior-to-July-17-1997--meeting--education--experience--requirements--set--forth-in~~ Section-1255.19-of-this-Part;
- 2) Certification of professional experience as set forth in Section 1255.40 of this Part;
- 3) Certification from the state or territory of the United States or the foreign country in which the applicant was originally licensed/registered and any location in which the applicant predominantly practices and is currently licensed/registered, stating:

- A) The time during which the applicant was licensed/registered;
 - B) Whether the file of the applicant contains any record of any disciplinary actions taken or pending; and
 - C) Examination(s) taken and examination score(s) received;
 - 4) A complete work history; and
 - 5) The required fee as set forth in Section 11(a)(3) of the Act.
- b) In lieu of subsection (a)(1) and (2), the Department shall accept certification from the National Council for Interior Design Qualification and Council for Residential Interior Designers.
- c) The Department may require additional information to determine:
- 1) If the requirements in the state, territory of the United States or foreign country at the time the applicant was licensed/registered were substantially equivalent to the requirements then in effect in Illinois; or

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- 2) if the requirements of another state, territory of the United States or foreign country together with education and professional experience qualifications of the applicant are substantially equivalent to the requirements in Illinois at the time of application.
- d) The Department, upon recommendation of the Board, shall determine substantial equivalency based on, but not limited to, certification from the National Council of Interior Design Qualifications or Council for Residential Interior Designers; education, training, and experience, including, but not limited to, whether the applicant has had special honors or awards, has had articles published in professional journals, or has written textbooks relating to interior design; and any other attribute which the Director of the Department accepts as evidence that the applicant has outstanding and proven ability in interior design.
- e) The Department shall either issue registration by endorsement or notify the applicant in writing of the reasons for denying the application.

(Source: Amended at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.60 Renewal

- a) ~~The first renewal period for registration issued under the Act shall be August 31, 1993; thereafter every registration issued under the Act shall expire on August 31 of odd-numbered years.~~ The holder of a registration may renew such registration during the month preceding the expiration date by paying the required fee.
- b) The first renewal period for registration as a residential interior designer shall be August 31, 1997. Thereafter, renewal for a residential interior designer shall be in accordance with subsection (a) above.

b7c) It is the responsibility of each registrant to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to pay the renewal fee or to renew one's registration.

(Source: Amended at 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.70 Inactive Status

- a) Registered interior designers or registered residential interior designers who notify the Department in writing on forms provided by the Department may elect to place their registration on inactive status and shall be excused from the payment of renewal fees until they notify the Department in writing of the desire to resume active

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- status.
- b) Any registered interior designer or registered residential interior designer seeking restoration from inactive status shall do so in accordance with Section 1255.90 of this Part.
- c) Any person whose registration is on inactive status shall not use the title "interior designer" or "residential interior designer" in the State of Illinois.

(Source: Amended 19 Ill. Reg. 7614, effective MAY 26 1995)

Section 1255.80 Restoration

- a) Any interior designer or residential interior designer whose registration has expired or has been placed on inactive status for 5 years or less may have the certificate of registration restored by paying the fees required by Section 11(5) of the Act.
- b) Any person seeking restoration of a certificate of registration which has been expired or placed on inactive status for more than 5 years shall file an application, on forms supplied by the Department, for review by the Board, together with the fee required by Section 11(5) of the Act. The applicant shall also submit at least one of the following:

- 1) Sworn evidence of active practice in another jurisdiction. Such evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the registrant was authorized to practice during the term of said active practice; or
 - 2) An affidavit attesting to military service as provided in Section 9 of the Act; or
 - 3) Proof of passage of the NCIDQ examination for an interior designer license during the period the registration was lapsed or on inactive status; or
 - 4) Proof of passage of the CORID examination for a residential interior design license during the period the registration was lapsed or on inactive status.
- c) When the accuracy of any submitted documentation, or the relevance of sufficiency of the course work or experience is questioned by the Department, because of a lack of information, discrepancies or conflicts in information given, or a need for clarification, the registrant seeking restoration of a registration shall be required to:
- 1) Provide such information as may be necessary; and/or
 - 2) Explain such relevance or sufficiency during an oral interview; or
 - 3) Appear for an interview before the Board when the information available to the Board is insufficient to evaluate the individual's current competency to practice under the Act.
- d) Upon the recommendation of the Board, and approval by the Director, an

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applicant shall have his/her registration restored or be notified in writing of the reason for denying the application.

(Source: Amended at 19 Ill. Reg. **7614**, effective **MAY 26 1995**)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of Part: Rulemaking
- 2) Code Citation: 1 Ill. Adm. Code 100
- 3) Section Numbers: Proposed Actions:
 100.1150 Amendment
 100.Appendix A, Illustration A Amendment
 100.Appendix E, Illustration F Amendment
- 4) Statutory Authority: Implementing and authorized by the Illinois Administrative Procedure Act [5 ILCS 100]
- 5) Effective Date of Amendments: June 1, 1995
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain an incorporation by reference? No
- 8) Date filed in agency's principal office: May 29, 1995
- 9) Date Notice of Proposal published in the Illinois Register: December 2, 1994; 18 Ill. Reg. 17181
- 10) Has JCAR issued a Statement of Objections to these amendments: No
- 11) Difference(s) between proposal and final version:
 1. Section 100.1150: In the event a proposed rulemaking is submitted without having been published in the 2 previous regulatory agendas, an agency must explain the reason(s) why on Section 100.Appendix A.Illustration A.
 2. Section 100.Appendix A.Illustration A: Question 13 on the Notice of Proposed Rules form specifies which regulatory agenda included the rulemaking, and if the rulemaking was not included, an agency must explain the reason(s) why.
 3. Section 100.Appendix A.Illustration A: Changes were made to the regulatory agenda form to allow agencies to list rulemakings in a single regulatory agenda rather than submit separate regulatory agendas for each rulemaking. Also, if a single issue is affecting a number of Parts, and agency may list those parts together as a single regulatory agenda item.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

13) Will these amendments replace an emergency amendment currently in effect?
No

14) Are there any amendments pending this part? No

15) Summary and Purpose of amendments: State agencies are required to submit regulatory agendas on a semi-annual basis for each rule for which a rulemaking will be proposed. If an agency submits a rulemaking that was not included in either of the 2 most recent regulatory agenda, the agency shall explain the reason(s) why in the Notice of Proposed Rules.

16) Information and questions regarding this amended part shall be directed to:

Joseph Natale
Index Department
111 E. Monroe
Springfield, IL 62756
(217) 782-7017

The full text of the Adopted Amendments begin on the next page:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

TITLE 1: GENERAL PROVISIONS
CHAPTER I: SECRETARY OF STATE

PART 100
RULEMAKING

SUBPART A: DEFINITIONS AND CODIFICATION

Section	
100.100	Rulemaking Compliance
100.110	Definitions
100.120	Agencies Covered
100.130	Illinois Administrative Code Organization
100.140	Codification Outline
100.150	Notice of Codification Changes
100.160	Deletion or Transfer of Rules
100.170	Re-using Part or Section Numbers (Renumbered)
100.180	Style Manual

SUBPART B: ILLINOIS REGISTER

Section	
100.200	Publication Schedule and Deadline
100.210	Contents
100.220	Publication Requirements
100.225	Cover Letter
100.230	Publication of Materials Incorporated by Reference
100.240	Notices of Corrections
100.250	Expedited Corrections
100.260	Indexes
100.270	Illinois Register Availability
100.280	Fees
100.290	Uncodified Rules (Repealed)

SUBPART C: RULE DRAFTING REQUIREMENTS

Section	
100.300	Headings
100.310	Table of Contents
100.315	Re-using Part or Section Numbers
100.320	Authority Note
100.330	Source Notes
100.335	Automatic Repeal of Rules
100.340	Text of the Part: Subsections
100.345	Renumbering Sections within a Part
100.350	Supplementary Material
100.360	Proper Format
100.370	Citation of Codified Rules

SECRETARY OF STATE

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100.380 Statutory Language and Statutory Citations
 100.385 Incorporation by Reference: Citation of Referenced Material
 100.390 Footnotes; Agency Notes; Editor's Notes

SUBPART D: PROPOSED RULES

Section
 100.400 Required Notice Periods
 100.410 Notice of Proposed Rules
 100.415 Other Statutory Requirements for Rulemaking
 100.420 Text of Proposed Rules
 100.430 Notice of Corrections
 100.440 Notice of Modification, Withdrawal, or Refusal to Modify or Withdraw a Rule
 100.445 Requirements for Submitting Materials for Register Publication
 100.450 Index Department Review of Proposed Rules

SUBPART E: ADOPTED RULES

Section
 100.500 Requirements for Filing
 100.510 Other Documents Required for Filing Adopted Rules
 100.520 Requirements for Illinois Register Publication
 100.530 Notice of Adopted Rules
 100.540 Text of Adopted Rules
 100.545 Index Department Review of Adopted Rules
 100.550 Certificate of Review and Approval

SUBPART F: EMERGENCY RULES

Section
 100.600 Filing; Agency Certification
 100.610 Notice of Emergency Rules
 100.620 Text of Emergency Rules
 100.630 File Copy of Emergency Rules
 100.640 Effectiveness
 100.650 Adoption as a Permanent Rule
 100.655 Index Department Review of Emergency Rules
 100.660 Certificate of Review and Approval
 100.670 Modification of an Emergency Rule
 100.680 Repeal of an Emergency Rule

SUBPART G: PEREMPTORY RULES

Section
 100.700 Submission; Agency Certification
 100.710 Notice of Peremptory Rules
 100.720 Text of Peremptory Rules

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NOTICE OF ADOPTED AMENDMENTS

100.730 File Copy of Peremptory Rules
 100.735 Index Department Review of Peremptory Rules
 100.740 Certificate of Review and Approval

SUBPART H: INTERNAL RULES

Section
 100.800 Requirements
 100.810 Effectiveness; Exemption from Notice
 100.815 Index Department Review of Internal Rules
 100.820 Certificate of Review and Approval

SUBPART I: PROHIBITED FILING

Section
 100.900 Certified Statements from Joint Committee on Administrative Rules
 100.910 Prohibition of the Filing of Rules
 100.920 Continuation of Prohibition

SUBPART J: PUBLIC INSPECTION AND COPYING

Section
 100.1000 Certified Rules; Inspection
 100.1010 Photocopies and Fees
 100.1020 Illinois Administrative Code
 100.1025 Public Domain
 100.1030 State Property (Repealed)

SUBPART K: MISCELLANEOUS

Section
 100.1100 Recodification of Rules
 100.1110 Notice of Recodification
 100.1115 Index Department Review of Recodified Rules
 100.1120 Certificate of Review and Approval
 100.1130 Format for Register Publication of Notices of the Joint Committee on Administrative Rules
 100.1140 Index Department Review of Other Notices and Materials Submitted for Register Publication
 100.1150 Regulatory Agendas
 100.1160 Regulatory Flexibility Notice

SUBPART L: ILLINOIS ADMINISTRATIVE CODE

Section
 100.1200 Availability
 100.1210 Fees

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

APPENDIX A Proposed Rules

- ILLUSTRATION A Notice of Proposed Rules
- ILLUSTRATION B Notice of Withdrawal of Proposed Rules
- ILLUSTRATION C Notice of Modification, Withdrawal or Refusal in Response to an Objection by the Joint Committee on Administrative Rules

- ILLUSTRATION D Notice of Corrections to Proposed Rules

- ILLUSTRATION E Notice of Public Hearing on Proposed Rules

- ILLUSTRATION F Notice of Corrections to Notice Only (Renumbered)

APPENDIX B Adopted Rules

- ILLUSTRATION A Notice of Adopted Rules

- ILLUSTRATION B Text of Adopted Rules (Repealed)

- ILLUSTRATION C Agency Certification

- ILLUSTRATION D Format for Filing Codified Rules

- ILLUSTRATION E Notice of Automatic Repeal of Adopted Rules

- ILLUSTRATION F Notice of Corrections to Adopted Rules

- ILLUSTRATION G Request for Expedited Correction

- ILLUSTRATION H Refusal to Certify Expedited Correction

- ILLUSTRATION I Notice of Expedited Correction

APPENDIX C Emergency Rules

- ILLUSTRATION A Notice of Emergency Rules

- ILLUSTRATION B Text of Emergency Rules (Repealed)

- ILLUSTRATION C Agency Certification of Emergency Rules

- ILLUSTRATION D Notice of Modification to Emergency Rules

APPENDIX D Peremptory Rules

- ILLUSTRATION A Notice of Peremptory Rules

- ILLUSTRATION B Text of Peremptory Rules (Repealed)

- ILLUSTRATION C Agency Certification of Peremptory Rules

- ILLUSTRATION D Notice of Automatic Repeal of Peremptory Rules

APPENDIX E Miscellaneous

- ILLUSTRATION A Notice of Recodification

- ILLUSTRATION B Notice of Corrections to Notice Only

- ILLUSTRATION C Certificate of Review and Approval

- ILLUSTRATION D Notice of Codification Changes

- ILLUSTRATION E Format for Statements of Objections or Recommendations

- Issued by the Joint Committee on Administrative Rules

- ILLUSTRATION F Regulatory Agenda

- ILLUSTRATION G Regulatory Flexibility Notice

AUTHORITY: Implementing and authorized by the Illinois Administrative Procedure Act [5 ILCS 100].

SOURCE: Adopted at 7 Ill. Reg. 10880, effective September 1, 1983; amended at 7 Ill. Reg. 16460, effective January 1, 1984; amended at 8 Ill. Reg. 12488, effective July 1, 1984; amended at 8 Ill. Reg. 19831, effective October 1, 1984; emergency amendments at 9 Ill. Reg. 427, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9180, effective May 31, 1985; emergency amendments at 10 Ill. Reg. 4014, effective February 19, 1986, for a

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

maximum of 150 days; amended at 10 Ill. Reg. 12080, effective July 1, 1986; amended at 11 Ill. Reg. 724, effective January 1, 1987, and May 1, 1987; amended at 15 Ill. Reg. 13939, effective September 10, 1991; amended at 17 Ill. Reg. 10414, effective July 1, 1993; amended at 18 Ill. Reg. 13067, effective August 11, 1994; emergency amendments at 18 Ill. Reg. 17275, effective November 22, 1994, for a maximum of 150 days; amended at 19 Ill. Reg. 7626, effective JUN 01 1995.

SUBPART K: MISCELLANEOUS

Section 100.1150 Regulatory Agendas

Pursuant to Section 5-30 5-60 of the IAPA, an agency may shall submit for publication in the Illinois Register by January 1 and July 1 of each year a regulatory agenda to elicit public comments concerning any rule which the agency is considering proposing but for which no notice of proposed rulemaking activity has been submitted to the Illinois Register. The format for a regulatory agenda appears in 100.Appendix E, Illustration F. All regulatory agendas submitted to the Index Department shall meet the requirements for Register publication as outlined in this Part. If an agency finds that a situation exists that requires the adoption of a rule that was not summarized on either of the 2 most recent regulatory agendas, it shall state the reasons in writing together with the facts that form their basis upon filing notice of proposed rulemaking with the Secretary of State [5 ILCS 100.5-60] in the format in 100.Appendix A, Illustration A.

(Source: Amended at 19 Ill. Reg. 7626, effective JUN 01 1995)

SECRETARY OF STATE
NOTICE OF ADOPTED AMENDMENTS

Section 100.APPENDIX A Proposed Rules

Section 100.ILLUSTRATION A Notice of Proposed Rules

For detailed information on this Notice, please refer to Section 100.410.

ILLINOIS REGISTER

(AGENCY NAME)

NOTICE OF PROPOSED RULES

1) Heading of the Part:

2) Code Citation: Ill. Adm. Code

3) Section Numbers: Proposed Action:

4) Statutory Authority:

5) A Complete Description of the Subjects and Issues Involved:

6) Will this proposed rule replace an emergency rule currently in effect?

7) Does this rulemaking contain an automatic repeal date? Yes No

If "yes," please specify the date:

8) Does this proposed rule (amendment, repealer) contain incorporations by reference?

9) Are there any other proposed amendments pending on this Part?

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives:

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected:

B) Reporting, bookkeeping or other procedures required for compliance:

C) Types of professional skills necessary for compliance:

13) Regulatory Agenda on which this rulemaking was summarized:

SECRETARY OF STATE
NOTICE OF ADOPTED AMENDMENTS

Jan. 19 July 19 OR

This rule was not included on either of the 2 most recent agendas because:

The full text of the Proposed Rule(s) begins on the next page:

AGENCY NOTE: The solid line shall be exactly one inch from the top of the page. Also, if the proposal is a new Part, use the action heading as shown in this illustration: if the proposal is an amendment to a Part (new Sections being added, existing Sections being amended or repealed), the action heading shall state NOTICE OF PROPOSED AMENDMENT(S); If the proposal is a repealer of an entire Part, the action heading shall state NOTICE OF PROPOSED REPEALER.

(Source: Amended at 19 Ill. Reg. 7626, effective JUN 01 1995)

SECRETARY OF STATE
NOTICE OF ADOPTED AMENDMENTS
Section 100.APPENDIX E Miscellaneous

Section 100.ILLUSTRATION F Regulatory Agenda

The following format is to be used for submitting a regulatory agenda for publication in the Illinois Register:

ILLINOIS REGISTER-----

{AGENCY-NAME}

REGULATORY-AGENDA

- 1) Heading-of-the-Part:--
- 2) Code-Citation: ----- Ill.-Adm.-Code -----
- 3) A-description-of-the-rule(s):
- 4) Statutory-Authority:
- 5) Schedule-of-dates-for-hearing--meetings--or--other--opportunities--for public-participation:
- 6) Date--agency--anticipates-submitting-to-the-Administrative-Code-Division-a Notice-of-Proposed-Rules-(Amendments,-Repeater)--for-publication--in--the Illinois-Register:
- 7) Information-concerning-this-regulatory-agenda-shall-be-directed-to:
Name:
Address:
Telephone:
- 8) Will--this-rule-(amendment)-repeater-affect--small--business--small municipalities-or-not-for-profit-corporations?
- 9) Other-pertinent-information-concerning-this-rule-(amendment)-repeater:

NOTE:--Only-one-Part--shall-be-listed--per--regulatory--agenda--Only-one regulatory-agenda-per-Part-will-be-accepted-for-publication-in-a-single-issue of--the--Illinois-Register--Also--the--information--shown--above--in--this illustration--shall-be-underlined-to-separate-it-from-the-agency's--responses with--the--exception--of--the--agency--name--and--the--words--"REGULATORY-AGENDA" appearing-under-the-solid-line

SECRETARY OF STATE
NOTICE OF ADOPTED AMENDMENTS
ILLINOIS REGISTER

(AGENCY NAME)

(JANUARY OR JULY) 19 REGULATORY AGENDA

a) Part(s) (Heading and Code Citation):

1) Rulemaking:

- A) Description:
- B) Statutory Authority:
- C) Scheduled meeting/hearing dates:
- D) Date agency anticipates First Notice:
- E) Affect on small businesses, small municipalities or not for profit corporations:
- F) Agency contact person for information:
Name:
Address:
Telephone:
- G) Related rulemakings and other pertinent information:

NOTE: Only one Regulatory Agenda heading is required for each agency's planned rulemaking activity. Each Part that will be affected is to be labeled (a), (b), (c), etc. Under each rulemaking, list items (A) through (G). Repeat this format as many times as necessary. However, if a single issue requires rulemakings to more than one Part (for example, a Part listing definitions, a Part affecting Chicago and a Part affecting downstate), indicate all the affected Parts in (a) above and describe the issue as a whole in (A) through (G).

(Source: Amended at 19 Ill. Reg. 7626, effective JUN 01 1995)

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

STATEMENT OF RECOMMENDATION TO PROPOSED RULEMAKING

Heading of the Part: Subacute Alcoholism and Substance Abuse Treatment Services

Code Citation: 77 Ill. Adm. Code 2090

Section Numbers:

2090.90

2090.100

Date Originally Published in the Illinois Register: February 10, 1995, 19 Ill. Reg. 1156

At its meeting on May 23, 1995, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that the Department initiate a comprehensive review of its various policies and regulations and propose additional rulemaking, if necessary, to expand and revise its rules to accurately reflect current implementation of DASA programs.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

DEPARTMENT OF ALCOHOLISM AND SUBSTANCE ABUSE

WITHDRAWAL OF FILING PROHIBITION OF PROPOSED RULEMAKING

Heading of the Part: Subacute Alcoholism and Substance Abuse Treatment Services

Code Citation: 77 Ill. Adm. Code 2090

Section Numbers:

2090.90

2090.100

Date Originally Published in Illinois Register: February 10, 1995, 19 Ill. Reg. 1156

Date Filing Prohibition Published in Illinois Register: May 5, 1995

Date Filing Prohibition Became Effective: April 18, 1995

Date Filing Prohibition Withdrawn: May 23, 1995

The Joint Committee on Administrative Rules hereby Certifies that, pursuant to Section 5-115 of the Illinois Administrative Procedure Act and based on the agreed modifications to the rulemaking as indicated in the Certification of Withdrawal, the Joint Committee, at its meeting on May 23, 1995, has withdrawn the prohibition against the filing of the Department's rulemaking entitled "Subacute Alcoholism and Substance Abuse Treatment Services" (77 Ill. Adm. Code 2090). The Committee originally issued this prohibition at its 4/18/95 meeting.

Please take notice that the agency is no longer prohibited from filing the rulemaking, as modified in accordance with agreements between the agency and the Joint Committee on Administrative Rules, with the Secretary of State and from enforcing or invoking the rulemaking.

DEPARTMENT OF PUBLIC AID

STATEMENT OF RECOMMENDATION TO PROPOSED RULEMAKING

Heading of the Part: Demonstration ProgramsCode Citation: 89 Ill. Adm. Code 170Section Numbers:

170.300

Date Originally Published in the Illinois Register: January 20, 1995, 19 Ill. Reg. 530

At its meeting on May 23, 1995, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that DPA initiate a rulemaking to amend 89 Ill. Adm. Code 117.10, Payee for Financial Assistance, to include the truancy deterrence program as an example of a situation in which the Department can initiate a protective payment plan and also include procedures for clients to appeal the protective payment plan designation.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

COMMISSIONER OF BANKS AND TRUST COMPANIES

NOTICE OF PUBLIC INFORMATION

NOTICE OF PUBLIC MEETING

Notice is hereby given that the State Banking Board of Illinois and the Board of Trustees of the Illinois Bank Examiners' Education Foundation will hold their regularly scheduled meetings on Tuesday, June 20, 1995, at the Office of the Illinois Commissioner of Banks and Trust Companies, 310 South Michigan, Suite 2130, Chicago, Illinois. The meeting of the Board of Trustees of the Illinois Bank Examiners' Education Foundation will begin at 9:30 a.m. The meeting of the State Banking Board of Illinois will begin at 10:30 a.m. The meeting will be open to the public in accordance with the Open Meetings Act, 5 ILCS 120/1-120/6 (1992) [Ill. Rev. Stat. ch. 120, par. 41 (1991)].

This meeting will be accessible to handicapped individuals in compliance with Executive Order #5 and pertinent state and federal laws upon notification of anticipated attendance. Handicapped persons planning to attend and needing special accommodations should contact, either by telephone or by letter, Debra Rath, 500 East Monroe, Springfield, Illinois 62701 or (217)785-2837 to inform of their anticipated attendance.

PROCLAMATIONS

95-310

DISASTER AREAS - BROWN, CALHOUN, CASS, GREENE, JACKSON, JERSEY, MORGAN, PIKE, RANDOLPH, SCHUYLER, SCOTT AND UNION COUNTIES

A system of severe thunderstorms accompanied by high winds and torrential rains over the Mississippi River basin began last week, continue until this date and forecasted to continue until this date and are forecasted to continue throughout the week. These rains have delivered more than 12 inches of rain along tributaries of the Mississippi River, accumulating in low-lying areas in Brown, Calhoun, Cass, Greene, Jackson, Jersey, Morgan, Pike, Randolph, Schuyler, Scott and Union counties. These rain storms have caused a disruption of public services and damage to local roads, homes, businesses, farmlands, public properties and levees. Flash flooding and flooding along the Mississippi River and tributaries threaten the stability of the levee systems, tributaries and low-lying areas in these counties.

In the interest of responding to the threat imposed to public health and safety as a result of the storm systems, I hereby declare in Brown, Calhoun, Cass, Greene, Jackson, Jersey, Morgan, Pike, Randolph, Schuyler, Scott and Union counties to be a State of Illinois disaster area, pursuant to the provisions of Section 3305/7 of the Illinois Emergency Management Agency Act, 20 ILCS 3305/7 (1992).

This gubernatorial declaration of disaster will aid the Illinois Emergency Management Agency in coordinating the assistance of local units of government, other state agencies, and volunteer resources in providing reasonable and necessary emergency measures for disaster response in any part of the State. This declaration will also provide for the assessment of damages and the determination if supplemental Federal assistance is needed by any unit of government.

Issued by the Governor May 23, 1995.
Filed by the Secretary of State May 23, 1995.

95-311

GATEWAY FOUNDATION DAY

WHEREAS, Gateway Foundation is a non-profit organization that has been providing treatment and prevention programs for alcohol and other drug abuse for more than 27 years; and

WHEREAS, Gateway Foundation has earned a national reputation for effective programs and outstanding accomplishments in returning drug-free, responsible citizens back to the community; and

WHEREAS, in 1994, Gateway helped nearly 8,000 people through treatment programs and reached more than 12,500 children and adults through its prevention programs in 28 sites throughout Illinois; and

WHEREAS, May 25, 1995, will mark Gateway Foundation's 20th Annual Citizen of the Year Dinner;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim May 25, 1995, as GATEWAY FOUNDATION DAY in Illinois.

Issued by the Governor May 15, 1995.
Filed by the Secretary of State May 24, 1995.

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 23, 1995 through May 29, 1995, and have been scheduled for review by the Committee at its June 20, 1995 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield, IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
7/7/95	Department of Conservation, Commercial Fishing in Lake Michigan (17 Ill Adm Code 850)	4/7/95 19 Ill Reg 5180	6/20/95
7/7/95	Department of Conservation, Sport Fishing Regulations for the Waters of Illinois (17 Ill Adm Code 810)	4/7/95 19 Ill Reg 5190	6/20/95
7/7/95	Environmental Protection Agency, Annual Testing Fees for Analytical Services (35 Ill Adm Code 691)	3/24/95 19 Ill Reg 3756	6/20/95
7/9/95	Department of Central Management Services, Pay Plan (80 Ill Adm Code 310)	4/7/95 19 Ill Reg 5165	6/20/95
7/9/95	Department of Public Health, Hemophilia Treatment Fund Rules (77 Ill Adm Code 990)	2/10/95 19 Ill Reg 1234	6/20/95
7/9/95	Department of Public Health, Heart Disease Treatment and Prevention Fund Rules (77 Ill Adm Code 980)	2/10/95 19 Ill Reg 1224	6/20/95
7/9/95	Department on Aging, Community Care Program (89 Ill Adm Code 240)	12/30/94 18 Ill Reg 18153	6/20/95

95-312
DAY OF DREAMS DAY

WHEREAS, home ownership has always been an integral part of the American Dream; and

WHEREAS, Habitat for Humanity, with the support and resources of Churches Chicken and other leading organizations, has proven its commitment to helping families in our communities achieve home ownership and the measure of financial independence it provides; and

WHEREAS, Habitat for Humanity homes are built or renovated using mostly volunteer labor and donated materials, and homes are sold to families in need at no profit and with no interest charges; and

WHEREAS, making decent and affordable housing available to all of our citizens must remain a high priority; and

WHEREAS, Habitat for Humanity and supportive businesses have turned the dream of home ownership into a reality for many deserving families; and

WHEREAS, "A Day of Dreams" was created in 1993 by Churches Chicken to raise funds necessary to begin building homes; and

WHEREAS, Illinois salutes the dedicated people who have worked with a sense of urgency for Habitat for Humanity and our communities, and we look forward to the fulfillment of this year's goal; and

WHEREAS, corporate sponsorship is invaluable to Habitat for Humanity's continued success and Illinois hopes others will be inspired to follow Churches' lead and accept the challenge of making the dream of home ownership come true for many more deserving Americans;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim September 20, 1995, as DAY OF DREAMS DAY in Illinois.

Issued by the Governor May 18, 1995.

Filed by the Secretary of State May 24, 1995.

95-313
FATHER'S DAY

WHEREAS, fathers render invaluable service to labor, industry, commerce, and every field of endeavor which is necessary for the family, community, public welfare, and the prosperity and health of the nation; and

WHEREAS, we look to the father in the home to be a dedicated partner in guiding the children and inspiring in them the importance of morals and ethics as well as the fundamental laws which govern relationships among all people; and

WHEREAS, fathers need to impress upon their children the value of all the civic involvement and family responsibility which are requisites of good American citizenship; and

WHEREAS, it is appropriate that we designate one day a year to pay tribute in a broad concurrence of public expression to the respect and reverence in which we hold the father as a responsible leader in our society;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim June 18, 1995, as FATHER'S DAY in Illinois and I call upon the citizens to observe it in worship and by displaying the American flag and otherwise commemorate fatherhood.

Issued by the Governor May 18, 1995.

Filed by the Secretary of State May 24, 1995.

95-314
SEMINARY DAY

WHEREAS, the Jewish Theological Seminary of America, the international academic and spiritual center of Conservative Judaism, stands on the threshold of celebrating its 110th anniversary; and

WHEREAS, the entire Chicago community will focus on the citywide Chicago Annual Awards Dinner being held on behalf of the Jewish Theological Seminary of America on Wednesday evening, June 21, 1995, at the Field Museum of Natural History; and

WHEREAS, Mr. Harvey L. Miller, prominent businessman and distinguished community leader, is serving as chairman of this very special event; and

WHEREAS, Mrs. Naomi Futorian will be the recipient of a special award for unprecedented service for her lifetime dedication to Jewish education and her scholarship and devotion to Judaism; and

WHEREAS, Cantor David Brandhandler will receive the "Hazzan David Putterman" award; and

WHEREAS, Dr. Ismar Schorsch, Chancellor of the Jewish Theological Seminary of America, will make a special appearance and bestow the awards upon the honorees and deliver the keynote address; and

WHEREAS, all of the Conservative Rabbis and Cantors, together with the lay leaders of the Jewish communities throughout the state, will gather for this important event;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim June 21, 1995, as SEMINARY DAY in Illinois.

Issued by the Governor May 18, 1995.

Filed by the Secretary of State May 24, 1995.

95-315
TRAFFIC COURT WEEK

WHEREAS, the 30th Annual Illinois Traffic Court Conference is being held in Peoria June 1-2; and

WHEREAS, the conference offers those involved in the traffic court system the opportunity to learn about new developments and legislation in the traffic safety field; and

WHEREAS, conference attendees have an opportunity to exchange ideas with speakers and their counterparts;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim May 29-June 2, 1995, as TRAFFIC COURT WEEK in Illinois and urge all citizens to drive safely.

Issued by the Governor May 18, 1995.

Filed by the Secretary of State May 24, 1995.

95-316
DR. PATRICIA SCHERER DAY

WHEREAS, Dr. Patricia Scherer is the founder of the Center on Deafness; and

WHEREAS, on June 2, 1995, Dr. Scherer will be honored for her more than 35 years of service to the deaf and hard of hearing community; and

WHEREAS, Dr. Scherer has pioneered techniques in diagnosing and treating

individuals whose deafness is compounded by multiple other handicaps, such as mental illness, learning disabilities, and behavioral disabilities; and WHEREAS, she holds degrees in language pathology, psychology, and deaf education; and

WHEREAS, Dr. Scherer is regarded as a leading authority in the field of communicative disorders among the deaf and hard of hearing; and

WHEREAS, she also founded the annual International Creative Arts Festival and the Centerlight Theatre, both entering their third decade of providing outstanding developmental experience for individuals who are deaf and also artistically talented; and

WHEREAS, Dr. Scherer's international reputation is based on the thousands of young children that she and her Center on Deafness have helped; and

WHEREAS, where previously there was little hope for these individuals, they have now returned to their families and communities, and are successfully pursuing their own lives and careers;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim June 2, 1995, as DR. PATRICIA SCHERER DAY in Illinois.

Issued by the Governor May 22, 1995.

Filed by the Secretary of State May 24, 1995.

95-317

RICHARD E. DUFFY DAY

WHEREAS, Richard E. Duffy joined the George Hyman Construction Company in 1982 as Executive Vice President, concentrating on the company's construction operations in the Washington, DC, area; and

WHEREAS, Mr. Duffy's responsibilities eventually included the New York territory as well as the Corporate and Institutional Division and at the same time he helped the company's annual volume quadruple; and

WHEREAS, Richard Duffy had the executive responsibility of working on projects such as the Lincoln Center expansion in New York City, the historic renovation of the 30th Street Train Station in Philadelphia, the new Canadian Embassy, the French Chancery, the Willard Hotel, and the Children's Hospital in Washington, DC; and

WHEREAS, the George Hyman Construction Company has given Mr. Duffy the awesome responsibility of leading the team in charge of the McCormick Place expansion; and

WHEREAS, Dick serves on the boards of the Corporation Against Drug Abuse and the Cultural Alliance; and

WHEREAS, he received a bachelor's degree in mechanical engineering from Stevens Institute of Technology in Hoboken, New Jersey; and

WHEREAS, he has been married to Sheila for more than 34 years and they have three children, Sean, Kathleen, and Megan; and

WHEREAS, Mr. Richard E. Duffy was selected to receive the "Man of the Year" award from the Coalition for United Community Action-ORTC at its 23rd annual Unity Testimonial Awards Banquet in Chicago;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim June 3, 1995, as RICHARD E. DUFFY DAY in Illinois.

Issued by the Governor May 22, 1995.

Filed by the Secretary of State May 24, 1995.

95-318

WILLIAM P. FARRELL DAY

WHEREAS, William P. Farrell has served as President and CEO of the American Hardware Manufacturers Association (AHMA) for more than 15 years; and

WHEREAS, this nationwide trade organization represents more than 1,100 manufacturers, manufacturers' representatives, and publications serving a variety of the hardlines industry; and

WHEREAS, Mr. Farrell is responsible for AHMA's role in the operation of the annual Hardware Industry Week event, which incorporates the National Hardware Show; and

WHEREAS, William Farrell is the recipient of the most prestigious "Spirit of Life Award" sponsored by City of Hope Medical Center; and

WHEREAS, Mr. Farrell truly embodies the humanitarian spirit of City of Hope Medical Center and has made immeasurable and valuable contributions to the Center through his steadfast support;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim August 15, 1995, as WILLIAM P. FARRELL DAY in Illinois.

Issued by the Governor May 22, 1995.

Filed by the Secretary of State May 24, 1995.

95-319

WHITNEY M. YOUNG MAGNET HIGH SCHOOL ACADEMIC DECATHLON TEAM DAY

WHEREAS, the educational program of Whitney M. Young Magnet High School offers academic, artistic, and athletic opportunities to students from all sections of the city; and

WHEREAS, the special emphasis on academics is evident by a wide range of course offerings and honors courses in all major academic areas; and

WHEREAS, the academic performance of students at Whitney Young has consistently been exceptional; and

WHEREAS, the Whitney M. Young Magnet High School Academic Decathlon Team has been State Champions for the past 10 years; and

WHEREAS, the Whitney Young Academic Decathlon Team placed second in the 1995 United States Academic Decathlon Competition and has for nine out of the last ten years placed in the top ten of the National Academic Teams; and

WHEREAS, the students of the Whitney Young Academic Decathlon Team are dedicated and hard working members of a team and believe that the good of the team comes before all else; and

WHEREAS, Scott Glab, Delma Jartrett, Reynaldo Sequerra, Sandeep Gvawali, Lincoln Chandler, Allan Nunez, Debrell Head, Kathryn Tinich, Andrew Freeman, Sandy Lee, Margaret Gulbrandsen, and James Chiong are all members of the 1995 State Champion Team; and

WHEREAS, the Whitney Young Academic Decathlon Team has the longest serving coach in the nation, Larry Minkoff, who has guided the team for 12 years and is joined by his assistant, Steve Grossman; and

WHEREAS, Illinois is proud of the accomplishments of the Whitney Young Academic Decathlon Team;

THEREFORE, I, Jim Edgar, Governor of the State of Illinois, proclaim May 23, 1995, as WHITNEY M. YOUNG MAGNET HIGH SCHOOL ACADEMIC DECATHLON TEAM DAY in Illinois.

Issued by the Governor May 23, 1995.

Filed by the Secretary of State May 24, 1995.

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